United Nations S/PV.6139

Security Council

Sixty-fourth year

Provisional

6139th meeting

Thursday, 11 June 2009, 10 a.m.

New York

President:	Mr. İlkin	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Du Xiaocong
	Costa Rica	Mr. Guillermet
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Dolgov
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Reports of the Secretary-General on the Sudan

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

09-36683 (E)

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The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

Reports of the Secretary-General on the Sudan

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. John Holmes, Under-Secretary-General for Humanitarian Affairs and Emergency Relief Coordinator.

It is so decided.

I invite Mr. Holmes to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Council will hear a briefing by Mr. John Holmes. I now give the floor to Mr. Holmes.

Mr. Holmes: Thank you, Mr. President, for this opportunity to brief the Council on my visit to the Sudan early this past month. That this was briefly delayed until today is a good indication of the many competing challenges we face around the world. The aim of the visit was to review the humanitarian situation in the areas most affected by the Government's decision on 4 March to close three national non-governmental organizations (NGOs) and expel 13 international NGOs, and to promote an improved operating environment between the Government and the humanitarian community, based on the development of genuine confidence and trust.

In addition to meetings in Khartoum, I visited North Darfur, and in particular the newly displaced populations in Zam Zam camp, just outside El Fasher. I also visited South Sudan to assess the extent of recent tribal violence, continuing humanitarian needs there and progress towards sustainable recovery.

The overall background is continuing severe humanitarian problems in Darfur, with 4.7 million people still requiring assistance, and major humanitarian needs in other areas too.

We continue to believe that the expulsions of 4 March were wrong and unjustified, to deplore the often brutal way in which they were carried out and to regret the increased dangers created for hundreds of thousands of people in need in Darfur and elsewhere. The difficult weeks that followed the expulsions were filled with reports of violence targeting NGOs — both those expelled and those remaining in Darfur — and negative rhetoric in the media that put agencies and individuals at increased risk. However, I am pleased to note that consistent efforts to explain the risks, to reduce tension and to seek a constructive dialogue — not least those led by United States Special Envoy Major General Scott Gration and influential Member States in the region — have begun to result in some positive developments.

Following the joint assessment carried out in March by the Government and the United Nations, the humanitarian community has worked with Government line ministries to fill the most critical life-saving gaps left by the expulsions. While it has not been possible to do this in a fully satisfactory or sustainable way, it seems that these efforts have significantly narrowed the gaps and prevented, for now at least, the feared extra humanitarian crises and deaths. These joint efforts have also begun to contribute to a more constructive working environment between the Government and the humanitarian community.

The Government has also taken some important steps towards rebuilding the cooperation architecture that was so badly fractured in March. It has reaffirmed its acceptance of and support for the 2007 Joint Communiqué on the facilitation of humanitarian assistance in Darfur as the principal framework for cooperation. In addition, ministerial decrees have extended technical agreements for NGOs, ensured the return to a previously agreed but ignored travel notification system and guaranteed multiple entry visas for all NGO workers. Government representatives have made clear, including during my visit, that help from international humanitarian agencies and NGOs is welcome and valued, and have said publicly and privately that not only remaining NGOs, but also new NGOs, including NGOs with new names and new logos, are welcome. Four of the expelled NGOs have taken advantage of this latter flexibility and this week completed initial registration processes in Khartoum. The level of hostile comment in the media has also been reduced.

On 7 May in Khartoum, I co-chaired, with the federal Minister for Humanitarian Affairs, the first meeting of an expanded high-level committee that was originally formed to oversee the implementation of the Joint Communiqué in 2007. It now includes senior Government representatives from all the concerned and influential ministries and a wider spectrum of Member States and regional organizations, as well as NGOs. It was agreed that the committee would henceforth monitor not only the implementation of bureaucratic agreements detailed in the Joint Communiqué, but also wider issues such as the protection of civilians, voluntary and sustainable returns, independent and joint assessments and ways to improve the safety and security situation of humanitarian staff in Darfur. The latter has become increasingly perilous over the past 18 months, as evidenced by, inter alia, two very disturbing kidnappings in the wake of the 4 March expulsions and a recent attack on a Humanitarian Air Service helicopter flight, and has resulted in severely reduced access. On this issue, I look forward to seeing assurances from the Director-General of National Security on steps to improve access and security translated into a safer environment, particularly in state capitals and along main supply routes.

It was also agreed that the new high-level committee mechanism will be replicated at the state level in the three Darfurs to help eliminate the disconnect between federal theory and state practice that we have so often seen in the past.

While in the Sudan, I welcomed these positive steps and stressed that we, too, wished to work closely with the Government to create a much more predictable and facilitating environment for humanitarian work. But I also stressed that the value of these steps would be measured in improvements on the ground in terms of ease and security of operations and of the quality of assistance for the 4.7 million beneficiaries in Darfur, not least the 2.7 million displaced people included in that number. We need to see consistent and sustained implementation of what has been agreed. Meanwhile, I made clear that we would work with the Government on the so-called Sudanization of humanitarian work, in line with our global policy of building national and local capacity. The Government has helpfully made clear that Sudanization does not and will not entail the disappearance of international aid organizations. It is in any case important, as I reminded the Government, that local partners be credible, professional and able to work with all sections of society in an impartial manner.

However effective the efforts of the Government, the United Nations and remaining NGOs have been in preventing a further immediate crisis, they have not replaced, and cannot easily or rapidly replace, the capacity and skills lost. Current levels of assistance in some areas remain well below the necessary standards to which we subscribe. As we enter the "hunger gap" and rainy season, the needs and gaps will only be further exacerbated. In a number of camps around city centres and state capitals, the availability of basic services such as sanitation was significantly reduced, while primary health facilities lost important capacity in monitoring and surveillance. The World Health Organization, for example, has recently reported that, with the onset of the rainy season, the risk of a cholera outbreak has increased in such camps as Gereida, Kalma, Al Salam, Otash, Kass and Jebel Marra. Meanwhile, we have less visibility of what is happening in remote rural areas due to access constraints and continued insecurity.

We have also not yet begun to fill gaps created in less visible though no less vital areas, such as camp coordination, education, secondary and reproductive health, and livelihood assistance. In that context, I urged and continue to urge the Government to accept fully that work in the area of the protection of civilians is a vital part of modern humanitarian operations, as this Council knows and agrees. I hope that, in that context, the Government will now allow agencies such as the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration to carry out their planned activities in areas such as camp coordination and verification of internally displaced person (IDP) registrations, in accordance with their global mandates.

As in past visits, the issue of IDP returns was once again discussed. I emphasized that the safe and voluntary return of civilians to their places of origin is a shared goal. Given the security situation on the ground today and the challenges facing the mediation effort, I do not believe that the current conditions in Darfur are yet conducive to large-scale return. However, as I also noted throughout my visit, the United Nations and partner agencies are keen to support returns wherever they meet international standards and are voluntary and sustainable.

While Darfur is the area of most immediate concern, the expulsions also had a serious potential impact on the three protocol areas and in eastern Sudan, where the expelled NGOs played critical roles in the provision of life-saving humanitarian, recovery and development assistance, with few alternatives available. It is helpful that the four international NGOs that recently received new registrations should be able to resume their work here.

Let me now turn to southern Sudan, where I travelled to Jonglei state to assess the impact of ongoing tribal violence. I was shocked not only by the unprecedented destructive nature of the violence, but also by the humanitarian toll. In the town of Akobo, I heard of the destruction of entire villages in the surrounding area, caused not least by the proliferation of more powerful weapons, including rocket-propelled grenades. With around 30,000 people displaced and possibly more than 1,000 killed or taken prisoner, including women and children, tribal reconciliation and disarmament must be a high priority for the Government of South Sudan, and indeed for the international community.

Such tribal conflicts there and elsewhere, with their political undercurrents, could even come to threaten progress since the signing of the Comprehensive Peace Agreement. While the United Nations Mission in the Sudan (UNMIS) has taken measures to act as a buffer between the tribes by establishing temporary operating bases and is supporting reconciliation efforts, it is painfully clear that this will be a long and difficult process. I urge the Government of South Sudan to take the necessary measures to protect its civilians, mainly women and children, who have been targeted during those tribal clashes.

If that was not challenge enough, the renewed presence of the Lord's Resistance Army (LRA) south of Juba has also provoked large-scale killings and the displacement of as many as 100,000 people. Almost 20,000 refugees have also fled into the Sudan from the Democratic Republic of the Congo to escape the LRA savagery there. Military efforts to finish off the LRA have so far had limited success and its ravages continue unabated. I can only hope against hope that their leader, Joseph Kony, will still somehow come to sign the peace accord that he abandoned last summer. Meanwhile, United Nations agencies and NGOs, in close cooperation with the United Nations Organization Mission in the Democratic Republic of the Congo, UNMIS and regional Governments, are doing what they can to deal with the humanitarian consequences for civilians of the LRA's continued existence.

With a myriad of critical challenges facing the Comprehensive Peace Agreement, including the Abyei adjudication, the North-South border demarcation, elections and, ultimately, the referendum, the international community cannot afford to lose focus on southern Sudan. Whatever the inadequacies of the Government, the people there continue to need significant humanitarian assistance as well as major financial and development support, not least faced as they are with the devastating financial consequences of low oil prices and the global economic crisis. In that regard, I am particularly concerned about cuts to social services, primarily in health and education.

Let me conclude by summarizing where I believe we are. First, it is important to acknowledge and to welcome the recent efforts of the Government to respond positively to the need to work much more closely with the international humanitarian community, and the new steps that it has taken to support the requirements of its own people in Darfur through their own efforts. The next meeting of the expanded high-level committee, on 17 June, will be an important chance to measure where we are on implementation of agreements.

Secondly, we still need to see a return of humanitarian capacity and full freedom of movement to northern Sudan, further loosening of bureaucratic impediments and considerable improvement in the security environment to enable us to address the needs of the population, which will only be exacerbated by the rainy season.

Thirdly, the humanitarian situation in South Sudan, with the current level of civilian casualties, displacement and abduction of children, is of major concern. The Government of South Sudan, UNMIS and the international community must take active steps to prevent further destabilization.

Fourthly, to meet the requirements of the new situation, we will need to rework the financing needs for humanitarian assistance not just in Darfur, but throughout North and South Sudan. The results of a review of the Work Plan for Sudan should be available later this month. I look to both the donor community and the Government for continued and accelerated help.

Lastly, the Council will not be surprised to hear me say that what is needed above all is political progress towards a lasting settlement in Darfur, towards a durable understanding between the Sudan and Chad before current tensions and intermittent violence on both sides of the border explode out of control, and towards resolution of the many challenges in the implementation of the Comprehensive Peace Agreement between the North and the South. Then the resources currently devoted to humanitarian assistance can be more productively used on the huge development tasks ahead.

That is a serious agenda indeed not only for the United Nations and humanitarian community, but also for the Governments concerned, the international community in general, and this Council in particular.

The President: I thank Mr. Holmes for his briefing.

There are no further speakers inscribed on my list. In accordance with the understanding reached in the course of the Council's prior consultations, I now invite Council members to informal consultations to continue our discussion of the subject.

The meeting rose at 10.30 a.m.

United Nations S/PV.6140

Security Council

Distr.: General
12 June 2009

Original: English

Official communiqué of the 6140th (closed) meeting of the Security Council

Held in private at Headquarters, New York, on Friday, 12 June 2008, at 10 a.m.

In accordance with rule 55 of the provisional rules of procedure of the Security Council, the following communiqué was issued through the Secretary-General in place of a verbatim record:

"On 12 June 2009, the Security Council, pursuant to resolution 1353 (2001), annex II, sections A and B, held its 6140th meeting in private with the troop-contributing countries to the United Nations Mission mandated by resolution 1866 (2009).

"The Security Council and the troop-contributing countries heard a briefing under rule 39 of its provisional rules of procedure by Mr. Edmond Mulet, Assistant Secretary-General for Peacekeeping Operations.

"Members of the Council, Mr. Mulet and representatives of participating troop-contributing countries had an exchange of views."

09-36794 (E) 120609

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United Nations S/PV.6141

Security Council

Sixty-fourth year

Provisional

6141st meeting

Friday, 12 June 2009, noon

New York

President:	Mr. Ilkin	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. Zhang Yesui
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Non-proliferation/Democratic People's Republic of Korea

Letter dated 25 May 2009 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/2009/271)

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09-36806 (E)

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The meeting was called to order at 12.10 p.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation/Democratic People's Republic of Korea

Letter dated 25 May 2009 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council (S/2009/271)

The President: I should like to inform the Council that I have received a letter from the representative of the Republic of Korea, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Park In-kook (Republic of Korea) took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in response to a letter dated 25 May 2009 from the Permanent Representative of Japan to the United Nations addressed to the President of the Security Council contained in document S/2009/271.

Members of the Council have before them document S/2009/301, which contains the text of a draft resolution submitted by France, Japan, the Republic of Korea, the United Kingdom of Great Britain and Northern Ireland, and the United States of America.

I wish to draw the attention of the members to document S/2009/274, containing a letter dated 26 May 2009 from the Permanent Representative of Mongolia to the United Nations addressed to the President of the Security Council.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

A vote was taken by show of hands.

In favour:

Austria, Burkina Faso, China, Costa Rica, Croatia, France, Japan, Libyan Arab Jamahiriya, Mexico, Russian Federation, Turkey, Uganda, United Kingdom of Great Britain and Northern Ireland, United States of America, Viet Nam

The President: There were 15 votes in favour. The draft resolution has been adopted unanimously as resolution 1874 (2009).

I shall now give the floor to those members of the Council that wish to make a statement on the resolution just adopted.

Ms. DiCarlo (United States of America): The United States welcomes the unanimous adoption of resolution 1874 (2009). The resolution provides a strong and united international response to North Korea's test of a nuclear device.

The message of the resolution is clear. North Korea's behaviour is unacceptable to the international community, and the international community is determined to respond. North Korea should return without conditions to a process of peaceful dialogue. It should honour its previous commitments to denuclearizing the Korean peninsula. It should shun provocations and proliferation. But for now, its choices have led it to face markedly stronger sanctions from the international community.

The resolution condemns North Korea's nuclear test in the strongest terms. It strengthens and enhances sanctions on North Korea in five critically important areas by imposing a total embargo on arms exports from North Korea and significantly expanding the ban on arms imports; by creating a wholly new framework for States to cooperate in the inspection of ships and aircraft suspected to be carrying weapons of mass destruction or other banned goods; by calling on States and international financial institutions to disrupt the flow of funds that could support North Korea's missile, nuclear or proliferation activities; by committing to designate for targeted sanctions additional goods, entities and individuals involved in North Korea's illicit behaviour; and finally, by strengthening the

mechanisms to monitor and tighten the implementation of this toughened new sanctions regime. These measures are innovative, they are robust, and they are unprecedented.

North Korea chose a path of provocation. As President Obama has said, actions must have consequences. Resolution 1874 (2009) has seen to it that they do. The resolution will give us new tools to impair North Korea's ability to proliferate and threaten international stability. We are particularly grateful to our colleagues on the Council who have come together to help adopt the resolution. We thank them for their tremendous hard work in this process, for their good efforts and for their goodwill.

Above all, resolution 1874 (2009) reflects the resolve of the international community and the Security Council, which has spoken with one voice. The United States stands firmly behind its provisions and is committed to ensuring its implementation.

Mr. Zhang Yesui (China) (*spoke in Chinese*): The Security Council has just adopted resolution 1874 (2009) on the nuclear test conducted by the Democratic People's Republic of Korea. On 25 May, the Democratic People's Republic of Korea conducted another nuclear test in disregard of the common objection of the international community. The Chinese Ministry for Foreign Affairs issued a statement expressing its firm opposition.

We strongly urge the Democratic People's Republic of Korea to honour its commitment to denuclearization, cease all actions that may exacerbate the situation and return to the Six-Party Talks. China is committed, as always, to safeguarding the international nuclear non-proliferation regime, promoting the denuclearization of the Korean peninsula and maintaining peace and stability there and in North-East Asia.

In conducting another nuclear test, the Democratic People's Republic of Korea violated the relevant resolutions of the Security Council, impaired the effectiveness of the international nuclear non-proliferation regime and affected regional peace and stability. We support an appropriate and balanced reaction of the Security Council to the Democratic People's Republic of Korea's nuclear test.

The provisions of resolution 1874 (2009) are in line with Article 41 of Chapter VII of the United Nations Charter. The resolution not only demonstrates the international community's firm opposition to the Democratic People's Republic of Korea's nuclear test, but also sends a positive signal to that country. It reflects the firm determination of the Security Council to resolve the Democratic People's Republic of Korea nuclear issue peacefully through dialogue and negotiation. In that context, the Chinese delegation voted in favour of resolution 1874 (2009).

It should be stressed that the sovereignty, territorial integrity and legitimate security concerns and development interests of the Democratic People's Republic of Korea must be respected. Once it returns to the Treaty on the Non-Proliferation of Nuclear Weapons, the Democratic People's Republic of Korea, as a State party, will enjoy the right to enjoy the peaceful uses of nuclear energy. The Security Council's actions should not adversely impact the economic viability or the development of the Democratic People's Republic of Korea or the delivery of humanitarian assistance to the country.

As indicated in the relevant paragraph of resolution 1874 (2009), if the Democratic People's Republic of Korea complies with the relevant provisions of the resolution, the Security Council will review the appropriateness of suspending or lifting the measures it has imposed.

I wish to stress that the issue of cargo inspection is complex and sensitive. Countries need to act prudently and in strict accordance with domestic and international law and on the condition of reasonable grounds and sufficient evidence. All parties should refrain from any word or deed that could exacerbate the conflict. Under no circumstances should force be used or threatened.

The Chinese Government has consistently advocated a peaceful settlement of the nuclear issue on the Korean peninsula through political and diplomatic means. China has made tremendous efforts to that end. We initiated the Six-Party Talks and pushed for a joint statement by the six parties in September 2005. Thanks to the concerted efforts of all parties, the Six-Party Talks made some initial progress. At present, despite the second nuclear test undertaken by the Democratic People's Republic of Korea — which represents a negative development — we remain of the view that Security Council actions are not all about sanctions and that political and diplomatic means are the only way to

resolve the relevant issues, achieve the denuclearization of the Korean peninsula and safeguard peace and stability in North-East Asia.

In the current circumstances, the parties concerned should remain calm, exercise restraint and refrain from actions that may aggravate the situation. Such behaviour would serve the common interests of all parties. China will continue to act in a responsible and constructive manner to strengthen contacts among the parties concerned, address the issue appropriately, work for an early resumption of the Six-Party Talks and play an active role in achieving the denuclearization of the Korean peninsula and maintaining peace and stability there and in North-East Asia.

Mr. Takasu (Japan): Japan welcomes the adoption of a firm and strong resolution on the nuclear test by the Democratic People's Republic of Korea. Resolution 1874 (2009) represents the strong condemnation of and deep concern of the international community over this irresponsible act.

The nuclear test by the Democratic People's Republic of Korea, coupled with its ballistic missile technology, constitutes a grave threat to the national security of Japan. It is also a serious threat to international peace and security and undermines the Treaty on the Non-Proliferation of Nuclear Weapons regime. Above all, the nuclear test, undertaken in defiance of the Security Council resolutions, is a serious challenge to the authority of the Council itself. The nuclear test and launch of a ballistic missile by the Democratic People's Republic of Korea are totally unacceptable and require a strong reaction from the Council.

Therefore, it is significant that the Security Council unanimously adopted the important resolution 1874 (2009), containing strong and effective measures. We are deeply grateful to the Council members for the understanding, flexibility and cooperation they have demonstrated in issuing the strong and unified message.

In our view, the following elements of the resolution are particularly important. First, the Council condemns in the strongest terms the nuclear test by the Democratic People's Republic of Korea on 25 May 2009. Secondly, the Council demands that the Democratic People's Republic of Korea not conduct any nuclear test or any launch using ballistic missile technology. Thirdly, the Council demands that the Democratic People's Republic of Korea immediately and fully comply with its obligations under resolution 1718 (2006), including ceasing all activities related to nuclear programmes.

Fourthly, the Council takes additional measures to prevent the flow of arms, related materiel and goods, and of financial resources that contribute to programmes for weapons of mass destruction and ballistic missile programmes, through arms embargo, cargo inspections and financial measures. The Council also activates the Committee established pursuant to resolution 1718 (2006), with the support of a panel of experts, and directs the Committee to designate entities, goods and individuals within 30 days.

Fifthly, the Council underlines the importance of a response from the Democratic People's Republic to humanitarian concerns of the international community, including the abduction issue. I would like to take this opportunity to urge the Democratic People's Republic to take concrete measures towards the resolution of the abduction issue.

We strongly hope that these measures taken by the Council will induce the Democratic People's Republic to change its course of action and comply with its obligations under relevant decisions of the Security Council. At the same time, I would like to stress that these measures are not intended to harm the innocent people of the Democratic People's Republic.

For these measures to have the intended effective impacts on that country so that it changes its behaviour and abandons all its nuclear weapon and ballistic missile programmes, it is essential for all Member States to take necessary actions to implement those measures fully and faithfully and to cooperate with each other in effective implementation.

In parallel with these measures, we will seek to facilitate a peaceful and comprehensive solution through dialogue. We should make utmost diplomatic efforts to realize the denuclearization of the Korean peninsula through the Six-Party Talks. It is the sincere hope of Japan that the Democratic People's Republic will decide to ensure its security through abandoning nuclear weapons and achieve prosperity for its people through cooperation with the international community.

We demand the Democratic People's Republic of Korea, mindful of its obligations under the Charter of

the United Nations, heed the message contained in the resolution 1874 (2009), just adopted, and implement fully its obligations under the relevant Security Council resolutions and presidential statements. We strongly urge it to return immediately to the Six-Party Talks without preconditions and to make efforts towards full implementation of the Joint Statement of the Six-Party Talks.

Mr. Parham (United Kingdom): We have just passed a tough new resolution aimed at stopping North Korea's nuclear and ballistic missile programmes. Its unanimous adoption shows that the international community is united in condemning North Korea's continued proliferation activities and its attempts to disrupt regional security.

The resolution is clear in its condemnation of North Korea's nuclear test of 25 May and demands that it not conduct any further nuclear tests or launches using ballistic missile technology. It shows that the international community will not tolerate North Korea flouting its international obligations. In particular, the resolution includes new measures that will impede North Korea's proliferation to other countries, toughen the arms embargo on North Korea and tackle the flows of finance that help to support its weapons programmes. We call on all Member States to implement these measures, including the new inspections regimes, fully and without delay.

Just as when this Council adopted its presidential statement of 13 April (S/PRST/2009/7) in response to the previous violation, this resolution commits the sanctions committee established by resolution 1718 (2006) to determine additional items, entities and individuals to be designated. I can assure the Committee of the full and active cooperation of the United Kingdom in this regard, both in the immediate 30-day time frame and in continuing to work with partners in the United Nations and the European Union to ensure prompt and effective implementation of all robust measures in the resolution.

We urge North Korea to refrain from any further provocative actions — actions that breach Security Council resolutions and North Korea's obligations under the Nuclear Non-Proliferation Treaty, that undermine regional and global security and further isolate North Korea. North Korea should return to the negotiating table and start engaging seriously with the international community. Only once North Korea starts re-engaging seriously on denuclearization will the international community be willing to engage with it as an equal partner. North Korea and its people have everything to gain from such re-engagement.

Mr. Heller (Mexico) (*spoke in Spanish*): The resolution that we have just adopted constitutes a clear message that the actions carried out by the Democratic People's Republic of Korea are not acceptable to the international community and that they jeopardize international peace and security. The fuller and more cohesive the participation of the members of the Security Council, the stronger this message is. This ought to be the norm in the Council's actions at all times.

However, we must be clear. Addressing issues of international security — non-proliferation, nuclear disarmament and the use of nuclear energy for peaceful purposes — cannot be the monopoly of a group of States. Quite the contrary, it concerns the whole of the international community. As set out in the Charter of this Organization, the Security Council acts on behalf of the Member States. Therefore, every member of the Security Council, not just a few of them, has the responsibility to actively participate in seeking solutions to those issues that jeopardize the maintenance of international peace and security.

Aware of the sense of urgency and the gravity of the situation, my delegation decided to vote in favour of this resolution. The actions by the Democratic People's Republic of Korea constitute a clear violation of Security Council resolutions 1695 (2006) and 1718 (2006) and contradict the spirit of the presidential statement adopted on 13 April 2009 (S/PRST/2009/7). They also contravene international law and the purposes of disarmament and nuclear non-proliferation and have exacerbated tension, thus jeopardizing regional and international stability.

From the beginning the Mexican Government strongly condemned the nuclear test carried out by the Democratic People's Republic, as well as later launches of short-range missiles. Mexico shares the concern of the international community that those decisions undermine the aspiration to achieve a nuclear-weapon-free world, which includes the objective of denuclearization of the Korean peninsula. We hope that the Government of the Democratic People's Republic listens to the call for a pacific

dialogue that is set forth in the resolution and returns immediately to the Six-Party Talks.

Mexico reiterates that nuclear tests must cease permanently. We deem it positive that the resolution we have adopted calls on the Democratic People's Republic of Korea to join the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The test carried out by the Democratic People's Republic has demonstrated the urgent need of the entry into force of the CTBT. For this reason, Mexico had wanted this resolution to include a clear and unequivocal commitment by all members of the Security Council to this end.

It is also necessary to remember that these actions of the Democratic People's Republic do not happen in a vacuum; they take place in a context of a constant threat to the international community that is linked to the existence of nuclear weapons and the risk of their proliferation. The possibility of the proliferation of nuclear weapons will remain as long as they are not completely eliminated. What does not exist cannot proliferate.

We must recognize the recent positive signals with regard to nuclear disarmament. Some nuclear weapon States have already announced initiatives that could favour this objective, and we hope that they materialize in the near future. We also hope that the 2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) will produce concrete measures to achieve a nuclear-weapon-free world.

Mexico will continue to seek nuclear disarmament and the adoption of effective and progressive measures that ensure the credibility and effectiveness of the international nuclear non-proliferation regime.

In this context, we once again call upon the Democratic People's Republic of Korea to retract the announcement of its withdrawal from the NPT, which is the cornerstone of disarmament, nuclear non-proliferation and the peaceful uses of nuclear energy.

Mr. Le Luong Minh (Viet Nam): As a party to all major multilateral treaties on nuclear disarmament, including and especially the Treaty on the Non-Proliferation of Nuclear Weapons (NPT) and the Comprehensive Nuclear-Test-Ban Treaty, Viet Nam is faithful to the objective of non-proliferation of nuclear weapons, considering it to be not only an effective platform for achieving the final goal of totally eliminating nuclear weapons from the world but also an indispensable tool for guaranteeing the existence of an environment favourable to the promotion of the use of nuclear energy for peaceful purposes.

As a party to the Treaty on the South-East Asia Nuclear Weapon Free Zone, Viet Nam is also a strong advocate of the establishment of nuclear-weapon-free zones in every part of the world, and, in that spirit, it has strongly supported the efforts made to achieve the denuclearization of the Korean Peninsula, which serves the long-term interests of peace, security and stability, not only of North-East Asia, but also of the wider region.

Viet Nam shares others' concerns about the nuclear test conducted by the Democratic People's Republic of Korea on 25 May 2009 and joins the Security Council consensus on measures to resolve the Korean nuclear issue through peaceful negotiations, especially through the Six-Party Talks. At the same time, during the Council's deliberations on the issue, Viet Nam has insisted that, while the Council intends to prevent the proliferation of nuclear weapons and the development of ballistic missile technologies in accordance with resolution 1718 (2006), the measures to be adopted by the Council must avoid adversely affecting the normal livelihood of the people of the Democratic People's Republic of Korea, as well as the humanitarian, development and other legitimate economic activities of and in the country.

Having voted for resolution 1874 (2009), we wish to emphasize that the resolution reaffirms the Council's commitment to a peaceful, diplomatic and political solution to the situation. We support every effort by Member States to promote a comprehensive solution through dialogue, including the Six-Party Talks, and to refrain from actions that might aggravate tensions.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): Libya believes that weapons of mass destruction, particularly nuclear weapons, cannot constitute a source of security. They pose a threat both to the States possessing them and to other States as well. Therefore, we believe that the world will not enjoy security until we manage to eliminate all stockpiles of weapons of mass destruction in all States, and that non-nuclear-weapon States should refrain from trying to acquire them.

Proceeding from this position, Libya eliminated its programmes of weapons of mass destruction under international supervision. As the Council knows well, Libya is a party to a treaty making Africa a nuclear-weapon-free zone. It also looks forward to the establishment of a nuclear-weapon-free zone in the Middle East region.

We believe that the international community wasted a precious opportunity that would encourage other States to abandon weapons of mass destruction when Libya was not properly rewarded for doing so, and when it did not receive the assistance necessary for the acquisition of peaceful nuclear technology, particularly with regard to water desalination, treatment of diseases and the production of energy. The international community similarly failed to grant the necessary incentives at the proper time to the Democratic People's Republic of Korea, just as it did not make appropriate use of the situation of Libya.

Libya emphasizes the right of all States to the peaceful uses of nuclear energy, in accordance with the provisions of the Non-Proliferation Treaty. At the same time, it emphasizes that the nuclear installations of all States — and I say all States without exception — must be subject to the supervision of the International Atomic Energy Agency as well as be under its safeguards regime. In this connection, we would like to state that measures taken by the international community must be global and non-selective, and they must extend to Israeli nuclear activities, which still threaten the Middle East region as well as the world in its entirety, without any clear-cut position having been taken by the Security Council.

Libya has always been in the forefront of those States that do not encourage the imposition of sanctions, because they do not achieve the desired result. Rather, they directly harm peoples by increasing of poverty and hunger and through the deterioration of health and education services. Libya has always called for the pursuit of good offices and dialogue to settle disputes. With regard to the matter before us, we have always supported the Six-Party Talks and have encouraged the parties to pursue them as the optimal way to address the Korean nuclear question.

We still believe that negotiations constitute the reasonable approach that should be pursued. We hope that the current measures adopted by the Security Council will not lead to further worsening of the situation in the region. We also hope that dialogue will be resumed and that all forms of sanctions will be cancelled once an agreement is reached among the concerned parties. Still, we believe that this resolution has been formulated in a manner that seeks to avoid making the consequences of sanctions harm the Korean people directly. Therefore, we join the general consensus prevailing in the Council.

Mr. Rugunda (Uganda): From the outset Uganda has underscored the importance of the Security Council speaking with one voice on events in the Korean peninsula following the launch of a rocket by the Democratic People's Republic of Korea last March. We therefore welcome the unanimity of the Council on this matter.

Uganda voted in favour of resolution 1874 (2009) not only because it is important to achieve non-proliferation in the Korean peninsula, but also because we are convinced that, together, we should work towards the total elimination of all nuclear weapons in order to create a more secure world.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The Russian delegation welcomes the unanimous adoption of resolution 1874 (2009), which condemns the nuclear test undertaken by the Democratic People's Republic of Korea and, in that regard, introduces additional restrictive measures with regard to North Korea.

The resolution adopted is, on the one hand, an appropriate response to the violation by the Democratic People's Republic of Korea of the decisions of the Security Council and, on the other, a balanced measure that demonstrates a responsible approach to the maintenance of peace and security in the region and reaffirms the resolute commitment of the Security Council to a political and diplomatic settlement of the nuclear issue on the Korean peninsula.

Russia views the repeated nuclear tests by the Democratic People's Republic of Korea as a serious blow to international efforts to strengthen the Treaty on the Non-Proliferation of Nuclear Weapons and as an action that undermines the international norms laid down by the Comprehensive Nuclear-Test-Ban Treaty on the prohibition of such tests and jeopardizes security and stability in the region. The circumstances required the adoption of a strong, but, at the same time, carefully measured Council resolution that, which, in

addressing the proliferation risks, would lead Pyongyang to return to the Six-Party Talks.

Resolution 1874 (2009) meets those goals. The additional restrictive measures on the Democratic People's Republic of Korea provided for in the resolution are fairly substantive. At the same time, they are targeted and closely linked to the need to end the nuclear weapons and ballistic missile programmes of the Democratic People's Republic of Korea and do not affect the pressing need of the population to receive humanitarian aid and economic assistance.

It is of fundamental importance that the resolution clearly stipulates — and the Russian delegation firmly insisted on this — that all sanctions measures are to be implemented exclusively under Article 41 of the United Nations Charter, which does not provide for the use of military force. The vessel inspection regime on the high seas, introduced in the resolution, will be applied solely in the context of ensuring compliance with its provisions. It has a fully defined framework clearly limited to the situation arising as a result of the nuclear test by the Democratic People's Republic of Korea. It is unprecedented and cannot be interpreted more broadly.

The Russian delegation actively contributed to ensuring that the resolution contains detailed provisions in support of the political and diplomatic settlement of the nuclear issue on the Korean peninsula and the resumption of the Six-Party Talks. It is important that the text issues an appeal to Pyongyang immediately and without preconditions to return to that dialogue format. We trust that the resolution's provision for the possible suspension and subsequent lifting of sanctions will be a serious incentive to the North Korean side to undertake to implement the Security Council's decisions.

We would like to stress that the attempts of the Democratic People's Republic of Korea to create a nuclear missile potential not only does not strengthen its security, but, on the contrary, increases tension in North-East Asia and thus threatens the security both of the Democratic People's Republic of Korea itself and of the region as a whole.

As an alternative to that extremely negative scenario, it is important to continue to work jointly with the partners in the Six-Party Talks format and other interested parties to establish a mechanism to guarantee peace and security in North-East Asia by political and diplomatic means.

Mr. Ripert (France) (*spoke in French*): France welcomes the unanimous adoption of resolution 1874 (2009). The international community has sent a very strong message to North Korea through the Council.

For years, North Korea has chosen a dangerous path. It has built up a clandestine nuclear programme, whose exclusively military aims are evident. It has also developed a ballistic missile programme that increases the its nuclear threat. It has spread extremely sensitive technology throughout the world, thus threatening the security of us all even more. In doing so, it has repeatedly violated the Treaty on the Non-Proliferation of Nuclear Weapons, from which it has declared its withdrawal. It has used its dangerous programmes to demand benefits in exchange for its commitment to dismantle its programme, which it has not honoured.

Over the past two months, North Korea has significantly increased tensions in North-East Asia by first conducting ballistic missile tests, then a nuclear test and the firing of short- and medium-range missiles. Today's reaction of the Security Council is commensurate with that provocation and the risk that it will encourage others to do the same. The Council condemns that activity in the strongest terms possible and demands its immediate cessation.

The Council imposes very strong sanctions that will limit North Korea's capacity to advance its banned programmes, in particular by cutting off the financial resources originating from another destabilizing activity — the spread of weapons throughout the world — by blocking the financial networks that fuel those programmes, by extending the embargo to products that feed it, by adopting sanctions against the persons and entities involved and, lastly, by demanding that States inspect, seize and destroy the transportation of banned cargo.

It must be underscored that this response is, however, targeted, which ensured the Council's support. The resolution excludes from the sanctions regime humanitarian assistance and economic development programmes for the people, whose circumstances continue to be of grave concern.

The key aspects remain to be addressed. In the coming months, we must agree in the Committee established pursuant to resolution 1718 (2006) on the

list of additional North Korean individuals and entities who, because of their involvement in sensitive activities, must be subject to individual sanctions. We must ensure that all the provisions of resolution 1874 (2009) are strictly implemented by all.

In that respect, France is pleased that the Council has endowed the Committee in charge of monitoring the resolution's implementation with a panel of experts, which will be of valuable help to the Turkish presidency of the Committee. In particular, it will enable us to considerably enhance follow-up and assistance to States that need it.

We must also draw lessons from this crisis for the future. I am thinking in particular of the Comprehensive Nuclear-Test-Ban Treaty (CTBT). The usefulness of the detection system established under the CTBT Organization is clear in that respect. We must also work towards the rapid entry into force of the Treaty. Here in New York in September, France and Morocco will host the ministerial conference on article 14 of the Treaty. I am also thinking about the upcoming Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons. In May 2010, we cannot fail to speak up about the seriousness of the threat posed by proliferation crises to the entire non-proliferation regime. We will also need to keep it in mind when we discuss strengthening guarantees and when we consider how to respond to States that may want to leave the Treaty.

Finally, we must firmly call on North Korea to resume negotiations in the framework of the Six-Party Talks. North Korea must make a strategic choice to renounce its nuclear programme once and for all and to re-establish normal relations with its neighbours. Its people will be the first to benefit from that and it will be a first step towards the complete denuclearization of the Korean peninsula, which France, like the European Union, dearly hopes for.

Mr. Tiendrébéogo (Burkina Faso) (*spoke in French*): Burkina Faso, which is a party to the Treaty on the Non-Proliferation of Nuclear Weapons and actively advocates the timely entry into force of the Comprehensive Nuclear-Test-Ban Treaty, voted in favour of resolution 1874 (2009), which we have just adopted, because it firmly believes in the need for a world free of nuclear arms.

While our principled position is that all States have the right to develop nuclear energy for civilian purposes, we also advocate that all States should abstain from activities in this area which could endanger international peace and security and weaken the relevant legal and institutional frameworks. That is why, together with the whole of the international community, including the countries of the region, my delegation has condemned the nuclear test carried out by the Democratic People's Republic of Korea on 25 May last in contravention of relevant resolutions of the Security Council, in particular resolution 1718 (2006), and which bears the seeds of an exacerbation of tensions on the Korean peninsula and throughout the region.

We hope that to the extent that resolution 1874 (2009) takes into account the essential parameters of the issue, it will make an effective contribution to the efforts to find a lasting solution to the North Korean nuclear issue. Because the measures approved are targeted, as is stated in the resolution itself, we hope they will effectively make it possible to avoid any negative humanitarian impact on the population of North Korea. That is also one of the reasons why we supported the resolution.

Burkina Faso urges North Korea to resume cooperation with the International Atomic Energy Agency and to return to negotiations, in particular the Six-Party Talks, which despite all the difficulties remains the most appropriate framework for emerging from the crisis.

We invite the country and all parties to do everything possible to favour dialogue, which is the only way to prevent any escalation in the region. The Security Council, the countries of the region and the entire international community have a particular responsibility in this regard. Within that framework, we hope they will accompany the parties on the way to a peaceful, comprehensive and lasting settlement of the matter.

Mr. Mayr-Harting (Austria): Austria has condemned the nuclear test of the Democratic People's Republic of Korea of 25 May 2009 in the strongest terms as a direct violation of resolution 1718 (2006). The unanimous adoption of the present resolution is a clear, fully appropriate and unequivocal response by the Council and the international community to the nuclear test of the Democratic People's Republic and the threat it poses to international peace and security.

As co-chairs of the Article XIV process of the Comprehensive Nuclear-Test-Ban Treaty (CTBT), Costa Rica and Austria in particular welcome the call on the Democratic People's Republic of Korea to join the CTBT at the earliest date, a call contained in operational paragraph 29 of the resolution. Costa Rica and Austria believe that the recent events highlight the necessity and urgency of a rapid entry into force of the Treaty. Both countries also wish to underline the very valuable contribution made by the Comprehensive Nuclear-Test-Ban Treaty Organization in providing reliable data on the Democratic People's Republic nuclear test of 25 May 2009.

Mr. Vilović (Croatia): Croatia also condemned the conducting of nuclear missile tests by the Democratic People's Republic of Korea. We saw [illegible] threat to international peace and security and therefore we supported the unanimous response on the part of the Security Council.

We call upon the Democratic People's Republic to return to the framework of the Six-Party Talks and to revoke its position on withdrawing from the Treaty on the Non-Proliferation of Nuclear Weapons. We look forward to its possible accession to the Comprehensive Nuclear-Test-Ban Treaty.

The Democratic People's Republic of Korea should take seriously this message of the Security Council, which is binding in all aspects. We also understand that the measures adopted are not aimed at the general population of the Democratic People's Republic but should be taken as a tool to encourage its leaders to take the path of negotiations over confrontation.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): Costa Rica considers it of the greatest importance that the Security Council has reached the requisite unanimity to respond to a major challenge to international peace and security. We have confirmed this perception with the unequivocal backing for the resolution we have just adopted. It seems to my delegation that the text voted on by the Council makes measured use of the instruments at the disposal of the international community to respond to that major challenge.

We trust that the Council's action today will reactivate the strengthening of the international non-proliferation regime and provide a major boost to the encouraging announcements of new steps in the field of global disarmament. We think that the resolution is also an opportunity for the Democratic People's Republic of Korea to return to the international mechanisms for dialogue, and we urge it to do so as soon as possible.

The President: I shall now make a statement in my national capacity.

Turkey is deeply concerned by the nuclear test conducted by the Democratic People's Republic of Korea on 25 May. We believe that the nuclear test was a clear violation of Security Council resolutions 1695 (2006) and 1718 (2006). Earlier, Turkey also expressed concern at the launch carried out by the Democratic People's Republic on 5 April. We believe such steps undermine stability, mutual trust and confidence in the region even further.

The Turkish authorities have condemned the nuclear test in strong terms and supported the Security Council to send a strong and unified response to the Democratic People's Republic of Korea for this provocative act. We believe that the resolution adopted today contains the necessary elements for such a response. It is our strong expectation that the Democratic People's Republic and the international community will comply with and abide by the provisions of the resolution.

At the same time, Turkey also recognizes the importance of encouraging the Democratic People's Republic of Korea to return to the Six-Party Talks. Turkey remains fully supportive of those talks and considers them the best vehicle to achieve de-nuclearization of the Korean peninsula. We believe that the talks should aim to make concrete and irreversible progress towards achieving lasting peace, security and stability in the region. In that regard, renewed determination by all parties to the talks is essential.

I resume my functions as President of the Council.

I now give the floor to the Permanent Representative of the Republic of Korea.

Mr. Park In-kook (Republic of Korea): On 25 May this year, the Democratic People's Republic of Korea conducted a nuclear test, violating relevant resolutions and statements by the Security Council and defying repeated warnings by the international community. The action taken by the Democratic People's Republic poses a serious threat to peace and

stability on the Korean peninsula and beyond. Furthermore, the overt declaration by the Democratic People's Republic of its intention to pursue the development of its nuclear weapons programme is a grave challenge to the international regime for nuclear non-proliferation.

In conducting this second nuclear test, the Democratic People's Republic of Korea has clearly demonstrated a complete disregard for its commitments under the 19 September 2005 Joint Statement and other subsequent Agreements reached at the Six-Party Talks. It is also a clear violation of resolutions 1695 (2006) and 1718 (2006), as well as of the presidential statement (S/PRST/2009/7) of 13 April 2009. Those violations by the Democratic People's Republic of Korea must be met with a strong and unequivocal response by international society.

In that regard, my Government welcomes and fully supports the resolution just adopted unanimously by the Security Council and appreciates the efforts of the members of the Council to address this grave common challenge. This resolution is an expression of the international community's firm will to collectively respond to such provocative action on the part of the Democratic People's Republic of Korea.

We urge the Democratic People's Republic of Korea to fully comply with this resolution and to heed carefully the united voice of the international community that such acts will never be condoned. The Democratic People's Republic of Korea must refrain from any action that would further aggravate the situation on the Korean peninsula.

My Government also strongly urges the Democratic People's Republic of Korea to return to the Six-Party Talks, in pursuit of a peaceful resolution of the nuclear issue, and to abandon all of its nuclear weapons and missile programmes once and for all.

We also hope that all Member States will make united efforts to duly implement the measures outlined in the present resolution. My Government will continue to work closely with the international community to achieve those goals.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda. The Council will remain seized of the matter.

The meeting rose at 1.05 p.m.

United Nations S/PV.6142

Security Council

Sixty-fourth year

Provisional

6142nd meeting

Monday, 15 June 2009, 10 a.m.

New York

President:	Mr. İlkin	(Turkey)
Members:	Austria	Mr. Ebner
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Uganda	Mr. Lukwiya
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

09-36921 (E)

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The meeting was called to order at 10.10 a.m.

Adoption of the agenda

The agenda was adopted.

Non-proliferation

Briefing by the Chairman of the Security Council Committee established pursuant to resolution 1737 (2006)

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by Ambassador Yukio Takasu, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006). I now give the floor to Ambassador Takasu.

Mr. Takasu (Japan): This is the tenth 90-day report to the Security Council in accordance with paragraph 18 (h) of resolution 1737 (2006). The report covers the period from 11 March 2009 to 15 June 2009, during which time the Committee held no meetings but conducted its work using the silence procedure.

In the previous report, I informed the Council that the Committee had sent letters to concerned Member States inviting them to provide within 10 working days any additional relevant information regarding the transfer of materiel that constituted a violation of paragraph 5 of resolution 1737 (2006). That paragraph sets out a ban on the export of arms and related materiel to the Islamic Republic of Iran. The Committee subsequently received a response from one of the two States, which, however, did not provide any information relevant to such transfers. The Committee therefore sent a second letter to both States on 1 May 2009, reiterating its request. The Committee also received on 27 March and 26 May, respectively, additional details on materiel from States that had first brought the matter to the Committee's attention. This information is currently under review by the Committee.

During the reporting period, the Committee received a notification from a Member State making reference to paragraph 5 of resolution 1737 (2006) and concerning the delivery of items for use in the nuclear power plant in Bushehr, Iran. The Committee also received notification pursuant to paragraph 15 of resolution 1737 (2006) in connection with the unfreezing of funds to make payment for contracts entered into prior to the listing of the entity. The Committee also responded to written queries from Member States concerning certain aspects of the sanctions regime.

Finally, with regard to reporting by States on the implementation of all relevant measures set out in resolutions 1737 (2006), 1747 (2007) and 1803 (2008), the updated figures are as follows: 91 reports under resolution 1737 (2006), 78 reports under resolution 1747 (2007) and 66 reports under resolution 1803 (2008).

The President: I shall now give the floor to members of the Security Council.

Ms. DiCarlo (United States of America): I thank Ambassador Takasu for his report as Chairman of the Security Council Committee established pursuant to resolution 1737 (2006). First, let me reiterate that the E3+3 countries have been seeking a meeting with Iran to discuss the way forward on its nuclear programme, but have not yet received a reply. The United States will be a full participant in those discussions, and we continue to urge Iran to accept this invitation.

Today's session is the first one since Iran held elections on 12 June. We share the international community's concern over events in the aftermath of the elections. As Iran seeks to resolve disputes related to the election results, it is important to respect the rights of Iranian citizens to express themselves peacefully.

Today's session is also our first session since the Director General of the International Atomic Energy Agency (IAEA) released his latest report on the status of Iran's compliance with its Nuclear Non-Proliferation Treaty safeguards agreements and Security Council obligations. While the IAEA Board of Governors is starting its meetings today, we too should focus on the report and its detailed findings as appropriate to the work of our Committee.

The IAEA report on Iran, once again, contains troubling findings that deserve the Council's serious attention. The Director General underscored Iran's continued defiance of its international obligations, including its refusal to comply with the Council's demand to suspend Iran's proliferation-sensitive

nuclear activities. The report finds that Iran continues to make significant progress towards a nuclear weapons capability, increasing its enrichment activities and producing more than 1,300 kilograms of low-enriched uranium hexafluoride, enough materiel for one nuclear weapon, were Iran to enrich it further to make it weapons-grade. Iran has also not accepted the full implementation of safeguards, including access to the Arak reactor, which, the Director General stresses, could harm the Agency's ability to carry out effective safeguards at that facility.

At the same time, Iran continues to refuse to address the IAEA's remaining questions about its past efforts to develop a nuclear warhead, or even to meet to discuss those issues. Let me offer a few examples. Iran refuses to addresses the IAEA's request for substantive explanations regarding Iran's past work to develop nuclear weapons, and there has been no progress on this issue since August 2008. Iran continues to rebuff the IAEA's inquiries related to the acquisition of the uranium metal document, which contains instructions for casting enriched uranium metal into hemispheres, which, the IAEA's January 2006 report noted, are related to the function of nuclear weapons. Iran declines to clarify the procurement and research and development activities of military-related institutes and companies that could be nuclear-related. And Iran rejects the IAEA's request for access to information, documentation and individuals necessary to support Iran's claims.

The Director General has once again asked Iran to cooperate with the IAEA without further delay. In the light of Iran's continued non-compliance with its Security Council and IAEA obligations, we must continue to strongly support the Iran Sanctions Committee's efforts. In particular, the United States welcomes the Committee's continued efforts to obtain additional information from Iran and Syria about the recent violation of resolution 1747 (2007) involving the *M/V Monchegorsk*. We remain concerned that the Committee's requests continue to go unanswered. The United States thanks the Republic of Cyprus for its recent letter informing the Committee that it has completed inspecting the ship's cargo and placed it in safe storage. We also appreciate Cyprus' providing the Committee with the additional details of the cargo that the Committee requested. We would take particular note of the information suggesting that some of the ship's cargo belong to an organization within Iran's defence industry, a designated entity under resolution 1737 (2006). We support the Committee's critically important efforts to examine these additional details and take appropriate action.

The United States remains committed to direct diplomacy with Iran to resolve issues of concern to the international community and will engage on the basis of mutual respect. We want Iran to be a respected member of the international community, but we recognize that such status confers not only rights but also responsibilities. Even as we offer Iran a new opportunity to restore international confidence and trust, this Committee continues to have an essential role to play. We urge the Committee to redouble its efforts to ensure fully and robust implementation of the measures imposed by resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

Mr. Parham (United Kingdom): I too would like to thank Ambassador Takasu for his report. We are grateful for his leadership in ensuring the full implementation of the vital measures needed to counter the threat of proliferation. We particularly appreciate the efforts of Ambassador Takasu and the Committee to address the issues raised by the transfer of materiel on *M/V Monchegorsk*, which constituted a violation of resolution 1747 (2007). We appreciate the cooperation of a Member State in providing further information about the cargo. But, as the report notes, the response received from the States in violation was not adequate. We note that the matter remains under the Committee's consideration and hope the Committee can draw some useful lessons to ensure full implementation and compliance.

The most recent report of the International Atomic Energy Agency (IAEA) on Iran makes clear yet again the seriousness of the threat of Iran's nuclear proliferation activities. Iran has still not suspended its enrichment-related activities nor its work on heavy-water related projects. This is in clear defiance of several Security Council resolutions. Moreover, it is continuing its non-cooperation with the IAEA.

Iran now has over 7,000 centrifuges installed, of which about 5,000 are enriching UF6. Iran has now produced 1,339 kilograms of low-enriched uranium. Iran has denied the IAEA access to the heavy-water reactor at Arak for nearly a year. A reactor of this design could potentially be used to produce plutonium for nuclear weapons. The IAEA has said that this has made

it difficult for it to report further on the construction of the reactor, as requested by the Security Council.

The report also emphasizes that Iran is the only State with significant nuclear activities that has a comprehensive safeguards agreement in force but that is not implementing the provisions of the revised Code 3.1 on the early provision of design information. Moreover, the report states that the IAEA has still not received preliminary design information, as requested in December 2007, for the nuclear power plant at Darkhovin.

The report also shows no change in the lack of cooperation by Iran in responding to questions about the possible military dimensions of Iran's nuclear programme. Without this, it is impossible to be confident of Iran's professed peaceful intentions.

We do not wish to deny Iran its right to civil nuclear power. The generous E3+3 offer contains everything Iran needs to pursue a modern civil nuclear power programme, which it claims is its aim. It is difficult to see how Iran's current actions are in pursuit of this goal. Iran's continued stalling simply undermines confidence in their intentions. Instead, it is continuing to expand its enrichment programme with no apparent civilian purpose. Iran must suspend its enrichment-related activities, as required by five Security Council resolutions and act to reassure the international community that its intentions are exclusively peaceful.

Our message to Iran is clear and simple. It is now time to get down to serious business. The international community has made clear its desire for a mature partnership with Iran. We hope that we will see a genuine response from the Iranian Government in the weeks and months ahead, but this opportunity is not a blank check. We need to make real and urgent progress. It is now essential that Iran makes the choice to move the process forward. The E3+3 has made clear that it wants to engage with Iran. We hope that Iran will quickly decide to do so and move quickly to take forward the offers of engagement by both the United States and the international community. It is essential that we make progress on this front. The offer will not be there forever.

Mr. Ripert (France) (*spoke in French*): I would like first to thank Ambassador Takasu for his briefing. This presentation comes at a good time to remind us of the reality of the Iranian nuclear dossier. The Director General of the International Atomic Energy Agency (IAEA) has just given us a shocking overview of that reality in the report he submitted to the Agency's Board of Governors on 5 June 2009.

Iran is continuing with enrichment and installing new centrifuges despite the bans issued by the Security Council. Iran has refused the repeated requests by the Agency for access to the reactor at Arak that is being built. Iran is refusing to implement certain transparency measures that derive from its safeguards agreement, or Code 3.1, and the Director General has pointed out that Iran is the only country that has significant nuclear activities that does not apply those measures. Iran continues to refuse to apply the Additional Protocol.

Finally, with regard to the investigation into the possible military dimensions of the programme, which is of course a key point, Iran has not cooperated. It has not provided access to the information, documents, sites or individuals concerned. The Agency must therefore conclude that it is not in a position to give credible assurances with regard to the absence of non-declared nuclear activity in Iran.

Given this behaviour, it is up to us, the Member States, to fully apply the sanctions that were adopted following Iran's repeated violations of its obligations. Ambassador Takasu alluded to the *Monchegorsk* issue, the ship chartered by the Islamic Republic of Iran Shipping Lines that was implicated in illicit trafficking on Iran's behalf and in violation of Security Council resolutions. The Republic of Cyprus took the right decision in inspecting the vessel and impounding its cargo, but the investigation is not finished. We have to determine whether, in addition to the arms banned under resolution 1747 (2007), the cargo of the vessel has any link with the persons or entities listed in the resolutions dealing with the Iranian nuclear programme. We must insist on the seriousness of this kind of contraband, which threatens our collective security, and on the need for very strict vigilance on our part.

In conclusion, I would like to stress, as the previous speaker did, that France supports a twofold approach to the issue of Iran. The political directors of the E3+3 have proposed now for a long time that Iran meet with them, including in the presence of the American political director, and Iran has still not replied. We hope that Iran will re-evaluate its behaviour and will stop obstructing the work of the

Agency. We also hope that Iran will accept the hand again extended to it and do what is required of it to restore confidence. Iran has a truly singular opportunity to do this, and France sincerely hopes that it will take this opportunity quickly.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are grateful to the Permanent Representative of Japan, Ambassador Takasu, for the regular quarterly briefing on the work of the Security Council Committee established pursuant to resolution 1737 (2006) and for the work that he has carried out at the head of that Committee. We note that in the reporting period, the Committee has operated in full accordance with resolutions 1737 (2006), 1747 (2007) and 1803 (2008).

Our view is that the Committee will continue to be guided in its work by the spirit and letter of these resolutions and by the primary goal of effectively monitoring the Iranian programme through diplomatic means and negotiations, on the basis of the proposals put forward by the six. Currently, the Russian Federation, with other members of the six, is working towards ensuring that dialogue with Iran would be resumed as quickly as possible. In this context, it is important that all six States maintain their commitment to the primary goal, which is to assist the International Atomic Energy Agency in establishing the fact that there are no military aspects to Iran's nuclear programme.

Mr. Heller (Mexico) (*spoke in Spanish*): My delegation would also like to thank Ambassador Takasu for the detailed briefing that he presented to us on the activities of the Security Council Committee established pursuant to resolution 1737 (2006), and we eagerly await the follow-up of the matters referred to.

My delegation is concerned about the points raised in the most recent report of the International Atomic Energy Agency (IAEA) of 5 June 2009, which states that Iran is continuing to not comply with Security Council resolutions, to enrich uranium and to build plants that are linked to heavy-water reactors.

As we pointed out previously, Mexico is in favour of nuclear disarmament through effective and progressive measures that will ensure the credibility and effectiveness of the international system as it pertains to nuclear non-proliferation. This is what we continue to plan to do with determination. The positive disarmament initiatives that we have witnessed recently on the part of some nuclear weapon States contrast with the attitudes of other States that continue to carry out activities that seem to be aimed at using nuclear energy for non-peaceful purposes. We are concerned about possible delays on the path towards a world free from nuclear weapons. The potential for nuclear arms to proliferate will therefore continue to exist until such weapons are totally eliminated. What does not exist cannot proliferate.

In that regard, we reiterate the importance of continuing to address the Iranian nuclear issue through dialogue, as well as the fact that it is important that Iran continue to cooperate with the International Atomic Energy Agency to clarify the relevant questions concerning its nuclear programme in accordance with the resolutions that have been adopted by the Security Council.

Mr. La Yifan (China) (*spoke in Chinese*): I would, first of all, like to thank Ambassador Takasu, Chairman of the Security Council Committee established pursuant to resolution 1737 (2006), for his briefing on the Committee's work over the past three months. We would also like to express our gratitude to him for the work he has done since taking office as Chairman of the Committee.

The Iranian nuclear issue has to do with the effectiveness of the international nuclear non-proliferation regime, has a direct bearing on the situation in the Middle East and affects international energy security. It has therefore attracted widespread attention in the international community.

China has always supported maintaining the international non-proliferation regime. We oppose the proliferation of nuclear weapons and do not want to see a new wave of turbulence in the Middle East. We have always called for resolving the Iranian nuclear issue through diplomatic means and in a peaceful way. China has always believed that resolving that issue through diplomatic means is in the interest of peace and security in the Middle East region. It is also in the common interest of the international community. China is therefore ready to continue to play a constructive role in that regard.

The United Kingdom, France, Germany, China, the United States and the Russian Federation are maintaining close contact and cooperation with regard to restarting negotiations on this issue. The International Atomic Energy Agency (IAEA) has also

continued its cooperation with Iran on various issues pertaining to Iran's nuclear programme. Rare opportunities exist in connection with restarting negotiations on the matter.

China has taken note of the fact that IAEA Director General ElBaradei has submitted his latest report on the Iranian issue. We appreciate the efforts made by the IAEA and its Director General. We hope that Iran will continue its cooperation with the IAEA and resolve outstanding issues at an early date, so as to allay the misgivings of the international community about its nuclear programme.

At the same time, we also hope that the international community will seize this opportunity to intensify its diplomatic efforts on this matter and maintain and promote dialogue with Iran, so as to achieve an early start to negotiations in the search for a long-term comprehensive and appropriate resolution to the Iranian nuclear issue.

The President: The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 10.35 a.m.

United Nations S/PV.6143

Security Council

Sixty-fourth year

Provisional

6143rd meeting

Monday, 15 June 2009, 6.05 p.m.

New York

President:	Mr. Ilkin	(Turkey)
Members:	Austria	Mr. Ebner
	Burkina Faso	Mr. Tiendrébéogo
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Le Luong Minh

Agenda

The situation in Georgia

Report of the Secretary-General pursuant to Security Council resolutions 1808 (2008), 1839 (2008) and 1866 (2009) (S/2009/254)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

09-37028 (E)

Please recycle

The meeting was called to order at 6.05 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Georgia

Report of the Secretary-General pursuant to Security Council resolutions 1808 (2008), 1839 (2008) and 1866 (2009) (S/2009/254)

The President: I should like to inform the Council that I have received letters from the representatives of Georgia and Germany, in which they request to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Lomaia (Georgia), took a seat at the Council table; Mr. Matussek (Germany) took the seat reserved for him at the side of the Council Chamber.

The President: The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/310, which contains the text of a draft resolution submitted by Austria, Croatia, France, Germany, Turkey, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

Members of the Council also have before them document S/2009/254, containing the report of the Secretary-General pursuant to Security Council resolutions 1808 (2008), 1839 (2008) and 1866 (2009).

I wish to draw the attention of Council members to the photocopies of two letters dated 10 June 2009 from the Permanent Representative of Georgia addressed to the President of the Security Council, which will be issued as documents S/2009/305 and S/2009/306, respectively.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote now.

There being no objection, it is so decided.

I shall now give the floor to the members of the Council who wish to make statements before the voting.

Mr. Churkin (Russian Federation) (*spoke in Russian*): The members of the Security Council will recall that, when we received the report of the Secretary-General in May, the Russian delegation expressed its willingness to work constructively with partners on agreeing to a substantive draft resolution of the Council on the future mandate of a United Nations presence in the region of the Abkhaz/Georgian border. We therefore stated that the corrected parameters for a temporary security regime and mission mandate proposed by the Secretary-General could be taken as the basis of a mandate for the new United Nations stabilization mission proposed in the report.

The mandate of the current United Nations presence in the region will expire in a few hours. Over the past two weeks, the Group of Friends has held intensive consultations for the purpose of agreeing to a draft resolution on this issue. The positions of Russia and the Republic of Abkhazia in support of maintaining the useful role of the United Nations observers in the Caucasus is well known.

In fact, the earlier mandate of the United Nations Observer Mission in Georgia (UNOMIG) ceased to exist, owing to the Georgian aggression against South Ossetia in August last year and Georgia's subsequent secession from the Moscow Agreement on a Ceasefire and Separation of Forces of 14 May 1994. There is no point in extending it since it is built on old realities. Guaranteeing Georgia's neighbours that there would be no attack from Georgia, and boosting support for the stability and security in that region, can only be done with a new security regime on the Georgian-Abkhaz border.

In that context, it is very obvious that, bearing in mind the new political and legal conditions, the majority of old terms and terminology used in the international documents cannot be applied. The international community must clearly understand all consequences of the wanton attack on peaceful Tskhinvali on 8 August 2008. The Saakashvili regime ended the territorial integrity of its country itself, and

two new States emerged on the world map — the Republic of Abkhazia and the Republic of South Ossetia.

However, we suggested that in the current realities such a draft Council resolution would have established a new security regime with politically incorrect provisions and old, contradictory terms. In fact, it was aimed at affirming the territorial integrity of Georgia and at denying the existence of Abkhazia as a State. Obviously, the Russian side could not agree to that.

During the work in the Group of Friends of Georgia, we gave our partners a compromise draft resolution with a number of concrete measures to ensure security and support for stability on the border of Georgia and Abkhazia, including impartial monitoring by UNOMIG. Our proposals were part of the latest recommendations of the Secretary-General on the matter. Thus, the Russian draft resolution could have become a realistic basis for continuing constructive international interaction on the basis of a United Nations presence in the region.

Based on the European Union Monitoring Mission in Georgia, which was agreed within the Geneva discussions of the joint mechanisms to prevent and react to incidents, developing a new mission mandate would have allowed us to arrange the practical cooperation of all interested parties to strengthen security and to restore trust in this turbulent region in the Transcaucasia.

However, our Western partners were unfortunately not able to accept that approach. They tried to pursue a political chimera. How could anyone seriously expect that the new mission would be called an observer mission in Georgia, since it would operate in both Georgia and in Abkhazia? There was stubborn insistence on including a reference to resolution 1808 (2008), which was adopted in April 2008 even before the Georgian aggression that changed the political landscape in Transcaucasia.

On 14 June, a number of Council members, who refused to adopt Russia's pragmatic solution, said that they wanted a new technical extension of the old Mission mandate and once again wanted to insert a reference to the old resolution 1808 (2008). In that regard, it should be recalled that the Mission's mandate has been rolled over for periods of four months on two occasions — in October 2008 and February 2009. We are convinced that the time has come for appropriate reflection in international documents of the new military and political position of States in the region.

Nevertheless, once again demonstrating our constructive approach, the Russian delegation expressed its willingness for a new technical extension of the Mission for a month, in the first instance, to continue in-depth dialogue. That decision, however, was to be taken without advance political implications. However, our partners preferred poison to medicine. We can only regret that.

With regard to the draft resolution on the Council's table, the Russian delegation cannot support it and allow its adoption, for the reasons that we have indicated. It is difficult to say what the sponsors were thinking of in putting to the vote a draft resolution that is clearly unacceptable. They were not thinking of the interests of strengthening stability in Transcaucasia.

The main sponsors of Georgian aggression against South Ossetia have gone from the political scene, but their shadows still loom large among us. We really must get rid of that apparition. Political wisdom is not to be found in blind adherence to the vestiges of past thinking, but in showing restrained approaches, bearing in mind current realities. Thus, full responsibility for bringing to an end the United Nations presence in Transcaucasia lies with our partners.

For our part, the Russian Federation will continue to undertake efforts aimed at ensuring the steadfast security of the new young States in Transcaucasia and the socio-economic development of their peoples.

The President: I shall now put to the vote the draft resolution contained in document S/2009/310.

A vote was taken by show of hands.

In favour:

Austria, Burkina Faso, Costa Rica, Croatia, France, Japan, Mexico, Turkey, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Russian Federation

Abstaining:

China, Libyan Arab Jamahiriya, Uganda, Viet Nam

The President: The result of the voting is as follows: 10 votes in favour, 1 against and 4 abstaining.

The draft resolution has not been adopted, owing to the negative vote of a permanent member of the Council.

I shall now give the floor to those members of the Council wishing to make statements following the voting.

Mr. Ripert (France) (*spoke in French*): In resolution 1866 (2009), which we adopted and co-sponsored unanimously, we expressed our intention to decide on the future of the United Nations presence on the basis of the Secretary-General's report. That report, entitled "Report ... pursuant to Security Council resolutions 1808 (2008), 1839 (2008) and 1866 (2009)" (S/2009/254), received broad support within the Council when it was presented. On that basis, therefore, intensive talks and negotiations took place in the Group of Friends of Georgia.

Several draft resolutions were discussed. On Friday, the Group met for more than six hours. On Saturday, we met again. Many gestures were agreed with regard to the security regime. We were not far from an agreement. It is true that, throughout, Russia tried to use that process to get Council members to change their minds on Georgia's territorial integrity and sovereignty. That is why all the Russian proposals included references to "the Republic of Abkhazia" and its borders — provocative terms obviously unacceptable to a majority of the Council members.

Strangely, Russia also refused any reference to a conflict and, what is of even greater concern, any reference to a political process. However, progress was made. We felt that those negotiations should be given every chance of success. That is why France, in a constructive spirit, together with Germany, Austria, Croatia, the United States, the United Kingdom and Turkey, yesterday put into blue the draft resolution (S/2009/310) that we have just voted on. That text proposed a technical rollover for the mandate of the United Nations Observer Mission in Georgia (UNOMIG) in order to give some oxygen to the negotiations.

The text was in line with the previous UNOMIG technical rollover resolutions, 1838 (2008) and 1866 (2009). Both those resolutions came into effect after the August conflict and after Russia recognized the separatist entities. And, as Council members will remember, Russia voted for both those resolutions, in unanimity with the Council. Russia even co-sponsored resolution 1866 (2009). One of the key elements that made it possible to adopt these resolutions and for them to be accepted by the host country, Georgia, was the reference to resolution 1808 (2008). That reference did not prevent Russia from voting for them.

Russia asked us to remove that reference in the current draft. That proposal was unacceptable to us and to a majority of the members of the Security Council for several reasons: first, because France, like the European Union, is fundamentally attached to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders; then, because nothing has happened since the vote on resolution 1866 (2009) in February that would justify the Council changing its position; and finally, because removing that reference would clearly have prejudged the outcome of future negotiations, rather than reorienting the current order in order to enable those negotiations to take place. Under those conditions, it is inexplicable to us that Russia has put an end to this Mission because of a reference to resolution 1808 (2008).

Russia assumed a heavy burden by imposing its veto on the draft text. The draft resolution would have been adopted by a wide majority without that veto, and with good reason. Russia has put an end to 15 years of the stabilizing presence of the United Nations in the area. The local population, which must be assured of security and external monitoring to prevent provocation and arbitrary acts, will be the first victim of that decision. The veto also leaves a situation on the ground that remains very fragile and unstable, with unresolved hatred, artificial barriers and no peace process underway. The Security Council cannot distance itself from that situation.

Once again, France deeply regrets the Russian veto. The most important thing now is peace and stability in the region. France calls on all parties with forces in the area to strictly respect the August and September 2008 agreements. Finally, we reiterate our unreserved support for sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders.

Mr. La Yifan (China) (*spoke in Chinese*): The Security Council was unable to adopt a draft resolution on a technical rollover of the United Nations Observer Mission in Georgia, to the deep regret of the Chinese delegation. In fact, the Council was only six hours

away from the deadline. We should have made further efforts. This is not the result we had hoped for.

Over the past two weeks, the Group of Friends undertook painstaking consultations on the extension of the United Nations mission and achieved some degree of agreement. The Chinese delegation consistently expected the Group of Friends to reach an agreement to avoid a forced vote. However and unfortunately, the consultations were locked in an impasse. We were unable to reach a consensus on a technical rollover.

Under those circumstances, the Chinese delegation abstained in the voting on the draft resolution. We urge the Group of Friends to assess the situation, show maximum flexibility and a constructive attitude, and conduct further consultations in order to arrive at a compromise plan as soon as possible.

China has always maintained that all States should abide by the United Nations Charter and the norms of international law. Our position on the principle of national sovereignty and territorial integrity has been consistent and clear. We have always maintained that safeguarding peace and stability in the South Caucasus and beyond is in the interests of all sides. We hope that the parties concerned will remain calm, engage in dialogue in good faith, adhere to peaceful means to solve their disputes and make joint efforts to advance the well-being of the countries and peoples of the region.

Ms. DiCarlo (United States of America): The United States deeply regrets the outcome of today's vote on the draft resolution to extend the United Nations Observer Mission in Georgia (UNOMIG). The draft resolution would have given the Council time to reach agreement on a new mandate for the United Nations presence on the basis of the Secretary-General's recommendations — recommendations that most Council members have supported. Extending the mandate would have allowed the United Nations to continue to carry out its role in monitoring the ceasefire, addressing security and humanitarian concerns on the ground and helping create conditions for the return of refugees and displaced persons.

We believe that a United Nations presence in Georgia is important. For that reason, the United States, along with other members of the Group of Friends of the Secretary-General for Georgia, have tried over the past two weeks to engage in good faith negotiations. Regrettably, the Russian Federation could not agree to language in this technical rollover — language that reflects a well-balanced compromise that the Council had reached in its two previous resolutions on the issue. That language served to bridge the differing views among us on the situation in Georgia.

Despite our good-faith efforts, UNOMIG's mandate expires today. We will now need to consider measures to address a Georgia without a United Nations presence. We will continue to work closely with the leadership of the European Union monitoring mission and with the co-Chairs of the Geneva talks. In the meantime, it is the civilian population that suffers by facing a tenuous security environment without an international presence in Abkhazia, Georgia.

The United States would like to reaffirm once again in this Chamber its commitment to the territorial integrity and sovereignty of Georgia within its internationally recognized borders. Today's vote demonstrates that the majority of Council members agree. The United Nations Observer Mission in Georgia has accomplished a great deal since its deployment in 1993. We thank the many members of the Mission over the years for their hard work. We also thank the Secretary-General, the Secretariat and Johan Verbeke, Special Representative of the Secretary-General, for all their efforts to help resolve the conflict in Georgia.

Finally, we believe that the Council should remain seized of the matter and in this regard we look forward to working with other members of the Council in the future.

Mr. Le Luong Minh (Viet Nam): Viet Nam consistently supports resolving conflicts and disputes by means of peaceful negotiations, in accordance with international law. As we desire a realistic solution based upon consideration of the legitimate interests of all of the parties concerned, the draft technical extension resolution, as contained in document S/2009/310, did not have the support of even the most concerned parties within the Group of Friends, and therefore did not have the consensus of the Council.

In that circumstance, Viet Nam abstained in order to leave options open for negotiations. I would like to reaffirm Viet Nam's support for the mission's continued operation under a mandate that reflects the new realities. We look forward to participating in and

contributing to the process of negotiations, on terms set forth in a revised mandate.

Mr. Parham (United Kingdom): The United Kingdom regrets Russia's decision to block a new mandate for the United Nations Observer Mission in Georgia. We continue to believe that a continuing United Nations presence in Georgia is a vital tool for diffusing tensions and maintaining security in Georgia and in the wider South Caucasus. We have made every possible effort to negotiate a new substantive draft resolution.

As we made clear during consultations on 27 May, we fully endorsed the Secretary-General's recommendations, as set out in his report of 18 May (S/2009/254), for a new security regime and mandate. The Secretary-General's report provided us with a strong basis, building on previous Security Council resolutions. We would have preferred a stronger security regime, but in the spirit of compromise we and others were ready to adopt a mandate along those lines.

Along with the whole of the international community — apart from Russia, which is a party to this conflict, and one other State — the United Kingdom continues to recognize the sovereignty and territorial integrity of Georgia within its internationally recognized borders. It is therefore regrettable that Russia, through its continued insistence on removing all references to Georgia's territorial integrity in the draft resolution, including previously agreed references to Security Council resolution 1808 (2008), should have sought to force the Security Council to change its agreed position on the territorial integrity of a Member State.

Russia itself voted for a whole series of Security Council resolutions upholding Georgia's territorial integrity and sovereignty, including as recently as February 2009. We regret that Russia refuses to stand by those resolutions, particularly as the situation on the ground has not materially changed since February.

With today's veto, Russia has effectively removed a key component of the international community's ability to promote stability and address the needs of vulnerable civilian populations living in the conflict area. We understand that the Abkhaz de facto authorities were keen to see the Mission maintained, making Russia the only party to this conflict that has sought to end the role of the United Nations in Georgia.

Despite Russia's decision, we call on all parties to the unresolved conflict in Georgia, including Russia, that are parties to that unresolved conflict to engage in dialogue and cooperation aimed at increasing stability and addressing the needs of civilians on both sides of the administrative borderline.

Furthermore, the United Kingdom would like to reiterate the importance of all parties to this conflict abiding by their existing commitments, as was made clear in resolution 1866 (2009), other resolutions, and the agreements of 12 August and 8 September 2008. We also would like the Council to remain seized of the matter.

Finally, I would like to conclude by paying tribute to the men and women who have served with the United Nations Observer Mission in Georgia since 1993 for their efforts, despite difficult circumstances, to promote peace and security.

Mr. Takasu (Japan): Japan supports a peaceful resolution of the issues of Abkhazia and South Ossetia based on the principle of the territorial integrity of Georgia. It is essential for all parties concerned to ensure peace and security in Georgia and its region. There is also an urgent need to improve the humanitarian conditions of internally displaced persons and refugees. To accomplish these tasks, we need to maintain a United Nations presence in the Abkhazia region and enhance the mandate of the United Nations Mission.

Japan views positively the recommendation made by the Secretary-General on the new mandate of the United Nations Mission. We support his recommendation as a good basis for a new mandate. It is therefore disappointing that no agreement has been reached within the Group of Friends of the Secretary-General, despite intensive negotiations. What is most important for the international community is the maintenance of peace and security in Georgia and its region.

Our belief was that this goal could be achieved most effectively through a continuous United Nations presence. It is for this reason that Japan supported the draft resolution, which extended the mandate of the current Mission to allow further negotiations on the substantive draft resolution to be completed during the period of two weeks.

Japan also supports the reference to resolution 1808 (2008) and the commitment to the principles of the sovereignty, independence and territorial integrity of Georgia within its internationally recognized border. After the event of August 2008, two resolutions were unanimously adopted by the Security Council in October 2008 and February 2009 with a reference to resolution 1808 (2008). There is no reason why we should drop it at this time.

Regrettably, the extension of the Mission was not adopted by the Council. I would like to encourage the international community, particularly those members of the Council concerned, to make further efforts to ensure peace and security in Georgia and its region and to reach an agreement as soon as possible. I also take this opportunity to express our thanks to the men and women who have been serving in the United Nations Observer Mission in Georgia for their dedication and good work.

Mr. Ebner (Austria): Austria regrets that the Council was not able to agree today on the draft technical rollover resolution before us. We firmly believe that the United Nations Mission monitoring and verifying a security regime continues to be crucial for stability in the region and therefore is in everybody's interest. The Mission has played a key role in improving the situation of the internally displaced and refugee population in the area. We therefore attach great important to a continued United Nations presence.

We supported and continue to support the concept of a rollover resolution so as to give the Council the extra time necessary for negotiations. We affirm our commitment to the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders.

The last two technical rollover resolutions — resolutions 1839 (2008) and 1866 (2009), which enjoyed consensus on the Council — both made explicit reference to resolution 1808 (2008). Austria believes that there have been no major changes in the situation over the past three months that would justify the deletion of such a reference in the draft resolution before us.

Mr. Vilović (Croatia): My delegation has been engaged over the past two weeks in negotiations within the framework of the Group of Friends of the Secretary-General on Georgia in an effort to reach agreement on a substantive new resolution for the Mission there. We share the concerns of the Secretary-General that the overall fragility of the situation could further deteriorate as a result of the erosion of the ceasefire regime. On this basis, we have advocated for a resolution with an enhanced mandate for United Nations Observer Mission in Georgia (UNOMIG) in line with the proposal in paragraphs 65 and 66 of the Secretary-General's report (S/2009/254).

We believe that an agreement on a revised security regime applicable to all forces on the ground is crucial to the long-term stabilization of the country and a viable United Nations role in Georgia. In addition, we would have liked to see the creation of conditions conducive to the swift and safe return of all refugees and internally displaced persons.

However, the Group of Friends was not able to reach a compromise. There has been some progress on a number of issues regarding the possible new regime, but we felt that we needed more time to iron out the outstanding points. Taking into account the differing positions regarding the status issue, we have showed willingness to accommodate Russian concerns, but we were not ready to trade away the principles of territorial integrity and sovereignty.

Therefore, we, together with other sponsors, decided to submit a draft resolution that would extend the mandate for two weeks so as to allow us more time to finalize our discussions. We regret the Russian Federation's decision to veto this technical rollover resolution and bring to an end the United Nations operation in the Georgian-Abkhaz conflict zone, especially as it may have adverse effects for both the people on the ground and the security situation in the region.

As the United Nations presence in Georgia draws to a close, we continue to urge the participants in the Geneva talks, co-chaired by the United Nations, the European Union and the Organization for Security and Cooperation in Europe, to strengthen their discussions and to engage constructively with the aim of yielding concrete results. We also express our gratitude to all UNOMIG personnel who, since the establishment of the Mission in 1993, have performed their duties admirably in difficult conditions. In particular, we remember those who gave their lives while serving under the United Nations flag.

In conclusion, we would like to reiterate that Croatia supports the sovereignty, independence and territorial integrity of Georgia within its internationally recognized borders and is aligned with the European Union foreign policy towards Georgia.

Mr. Mugoya (Uganda): From the outset, we have called for a unanimous decision of the Council on this important matter and have encouraged all parties concerned to resolve any differences in order to ensure that there is a United Nations presence on the ground. Uganda remains convinced that an international monitoring presence in the region is vital. The situation in the Mission's area of responsibility has remained fragile for some time. We have supported and still support the continued presence of a United Nations mission to consolidate and build upon the achievements in peace and security in the region.

We are disappointed by the apparent lack of progress in reaching a consensus on the draft resolution before us today, which in essence will lead to the eventual closure of the United Nations Mission. Uganda abstained in the voting because it was quite clear that, whether we voted for or against the draft resolution, the future of the United Nations Mission would still be in jeopardy — a scenario that we would not have wished for. We regret that the curtain will close on the United Nations Mission, but call on all the parties in the region to exercise restraint and engage in confidence-building measures as they seek a lasting solution to the conflict.

Finally, we commend the United Nations staff, who have served in the Mission since 1993, for their tireless efforts in promoting a more stable situation and their commitment in contributing to peace and security in the region.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): Costa Rica voted in favour of the draft resolution presented by the Group of Friends in order to allow more time for negotiation. We did so because, as I stated during the informal consultations, there is consensus among the members of the Council about the positive role that the United Nations has played in Georgia and a need for the presence of a United Nations force in the future, as recommended by the Secretary-General. Such a presence would provide guarantees to the parties to the conflict and contribute to creating the conditions for reconciliation and cohabitation in Georgia.

Unfortunately, these fundamental agreements were not sufficient to lead to a consensus making it possible to extend the mandate of the mission in Georgia. Costa Rica trusts that this disagreement will not be an obstacle to the international community maintaining its focus on Georgia and that it can prevent the consolidation of the situation in Abkhazia and Ossetia through measures that run counter to international law.

As I have stated on other occasions, Costa Rica takes as its guide the principles of international law, the application of which is the only guarantee for our own security. Our vote in favour of the draft resolution also expresses our absolute opposition to any efforts to ignore international law and our unconditional respect for the sovereignty and territorial integrity of the Republic of Georgia, as affirmed in all previous resolutions of the Security Council.

Mr. Heller (Mexico) (*spoke in Spanish*): Mexico voted in favour of the resolution that was submitted to the Council today because we believe that it is indispensable to maintain the presence of the United Nations mission in Georgia in order to preserve peace in the region and the security of its inhabitants, while bearing in mind the complexity of the overall situation.

Likewise, in previous consultations, we also expressed our support for the proposal contained in the Secretary-General's report to establish a new security regime, which would enable us to prevent outbreaks of violence and the use of force in the region. Given the lack of agreement within the Group of Friends of Georgia on the establishment of this new mandate, we today supported the extension of the current Mission, which, if it had been approved, would have enabled us to continue with negotiations to bring about an agreement acceptable to all parties and which would have benefited the civilian population affected by this conflict.

We regret that this technical extension of the mandate was not approved by the Council, and we continue to be available to participate in the forming of agreements that can help us achieve the objectives contained in the report of the Secretary-General, which have been supported by all members of the Council.

What is in play in Georgia are the fundamental principles of our Organization, such as the sovereignty, independence and territorial integrity of States and respect for the rights of minorities. We will continue to

strive for dialogue and a peaceful solution to the conflict in the region.

Finally, we reiterate our call upon all the parties to not have recourse to force, in conformity with the 1994 Moscow Agreement on a Ceasefire and Separation of Forces and the peace agreements of 12 August and 8 September 2008. We call for a solution to the conflict exclusively through peaceful means in the framework of the pertinent resolutions of the Council and in respect for international law.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): We followed closely the consultations that took place over the past few days in the Group of Friends of Georgia, and we regret that these consultations were not able to lead to a formula that took into consideration the positions of all parties. This prevented the Security Council from adopting this draft resolution.

We think that it is vital to have a peacekeeping mission in the region, but any activity on the part of the United Nations must have the agreement of all parties of the United Nations. This presence must be one of credibility and must help promote peace and security. Since there was no agreement among the parties concerned, my delegation abstained on the vote.

Despite all that, my delegation reaffirms here that we appreciate the role that has been played by the personnel and blue helmets of the United Nations in the region, and in the end, we would call on all parties concerned not to increase tensions and to focus all necessary efforts on maintaining peace and security in the region, whether or not there is a United Nations presence there.

Mr. Tiendrébéogo (Burkina Faso) (*spoke in French*): The delegation of Burkina Faso voted in favour of the draft resolution submitted to us because we wanted, at this stage, for the United Nations to be able to maintain a presence in the region without the mission finding itself in legal limbo. The parties would then have had an opportunity to pursue negotiations on questions of substance. We regret that the Council was unable to approve this technical renewal of the mandate for a few extra weeks.

In spite of it all, my delegation would like to believe in the will of all parties to overcome their current differences, however deep-seated they may be, in order to allow the United Nations to maintain a presence in the region on the basis of the report of the Secretary-General.

In conclusion, we call on all parties to exercise restraint in order to give priority to the peaceful settlement of differences in the region.

The President: I will now make a statement in my capacity as the representative of Turkey.

Turkey believes in the necessity of the United Nations presence in Georgia. It is for that reason that we awaited with great expectation a positive outcome to the negotiations within the Group of Friends. Unfortunately, the Group was unable to come to an understanding on the issue until last night. In order not to cause an abrupt termination of the United Nations presence, we agreed to co-sponsor a simple technical rollover that would have extended the present mandate by two more weeks. That could have provided additional time to conduct further consultations on the issue. Unfortunately, that was not possible. So we are where we are now.

This should not be seen as Turkey's giving up the efforts to provide a United Nations presence in Georgia. There is definitely a need for a safety valve. On the other hand, Turkey will continue to support the unity and territorial integrity of Georgia.

I would like to take this opportunity to express our sincere thanks to the men and women of the United Nations Observer Mission in Georgia for their professionalism and dedicated service since 1993.

I now resume my functions as the President of the Council.

I give the floor to the Permanent Representative of Georgia.

Mr. Lomaia (Georgia): The Government of Georgia deeply regrets the termination of the United Nations Observer Mission in Georgia (UNOMIG) due to the unconstructive position of the Russian Government. The Mission has long played an important role in bringing a level of security and stability to the Abkhazia region of Georgia. The fact that it is being terminated by virtue of a single country's opposition is of great concern to my Government and should weigh heavily on this institution.

It is important to keep in mind that Russia's rejection of this Mission is not an isolated act, but

rather a part of a larger strategy — one that began even before Russia's invasion last summer. It seems determined to roll back the international community's presence in Georgia. Just last month, Russia also vetoed the continuation of the mission of the Organization for Security and Cooperation in Europe.

I would like to express my gratitude to the men and women of UNOMIG for their hard work in protecting the human rights of the remaining population of the occupied region of Georgia. Their good work has consistently been undermined by Russian military forces and Moscow's proxy administration on the ground. On behalf of my Government, I would also like to thank those countries friends of Georgia, in the Council and beyond, that have worked hard to continue the Mission. We are grateful for their determined efforts and for their support of our sovereignty and territorial integrity. We will continue to work with them to ensure security throughout the country. The role of the European Union monitoring mission in that respect is very important.

The bottom line with respect to the termination of UNOMIG is this: There will be fewer opportunities to provide unbiased information on either the security situation or human rights violations. The termination of UNOMIG also means that it will be more difficult to witness or document any build-up or movement of Russian troops in the region. It also should be noted that the Secretary-General's report (S/2009/254) of 18 May 2009 clearly confirmed that Russia is in complete violation of resolution 1866 (2009). It is evident that Russia does not wish to have any witnesses who can confirm its disrespect and breach of international obligations. Through that non-constructive behaviour, Russia continues to breach the ceasefire agreement of 12 August 2008, as well as the diplomatic measures of 8 September 2008 moderated by the then French presidency of the European Union.

The facts are clear. Russia is not honouring the commitments it undertook under legally binding international agreements. Russia has gone further into self-imposed isolation on the fundamental issues of respecting other countries' sovereignty and territorial integrity, thus widening the gap between itself and the rest of the world.

Today, 400,000 men, women and children — the survivors of several waves of ethnic cleansing, those whose right to return to their homes has been stubbornly denied by Russia and its proxies — are looking to the international community with hope. They do not expect the international community to give up on its efforts to restore a measure of justice. What they expect are new and even more energetic efforts on the part of the whole international community that would eventually result in their dignified and secure return to their homes.

The President: The Permanent Representative of the Russian Federation has asked for the floor to make an additional statement.

Mr. Churkin (Russian Federation) (*spoke in Russian*): I must draw attention to a procedural flaw in today's meeting, which of course has a serious political subtext and is one of the reasons that we are today seeing the end of the work of the United Nations Mission in the Abkhaz-Russian border region.

We have been very patient for many years now although, like today, it has been very difficult to be patient while hearing very non-objective words, to put it mildly, on the part of Georgia's representative. We have, however, listened patiently. Throughout these years, Abkhaz representatives have not been given an opportunity to inform Council members of their position during a conflict that has existed for many years in the Abkhaz Georgian region, which culminated in the tragic events of August 2008.

I could, of course, be very critical of the statement made by the Georgian representative, but I will not do so. There simply is not enough time. But I would agree on one thing, namely, that we have a genuinely positive view of the work of those who have worked in the United Nations Mission throughout the years. The Georgian representative is wrong, however, in saying that that work has been hindered by the Russian military. I recall that all reports of the Secretary-General give a positive assessment of cooperation between the United Nations Mission and peacekeepers of the Commonwealth of Independent States, which mainly include Russian military personnel, and of the contribution of our peacekeepers in support of stability in the region, which was violated by Georgia's aggression against South Ossetia.

I must also call attention to two or three references with which I did not agree. Statements by some of our colleagues have included erroneous interpretations of our position, which we must correct.

In particular, the Permanent Representative of France said that our proposed draft resolution on a possible future mission of the United Nations in the Abkhaz-Georgian border region included certain terms that would be politically difficult for Western colleagues to agree with. Let us say that is so. Many such terms were included in the draft put forward by our Western partners. But we are not discussing today why our efforts on a major resolution to establish a new United Nations mission in the Abkhaz conflict zone failed. We are talking about a draft technical rollover resolution that was introduced by the Group of Friends. Russia also proposed a draft for a possible extension, although in principle we believed that it was time for more substantive measures.

I shall now read from the short draft resolution that we proposed. Under the draft, which refers to all the relevant resolutions and takes into consideration the 18 May 2009 report of the Secretary-General (S/2009/254), the Security Council would "decide to extend the mandate of the United Nations Mission under consideration in the report to a new deadline of 15 July". Thus, we were ready to include two additional weeks.

What is politically unacceptable in that? Is it Russia that has thrown a political spanner in our work to extend the United Nations Mission, or those who hastened to submit today's draft, with its politicized technical roll-over proposal, to the Council? I would urge us not to give ourselves a big headache over this.

I have one final comment. Many, or at least some of our colleagues referred to territorial integrity. That is a very important principle, but there is one interesting twist to it. I do not recall how many meetings of the Council have been held following the events of August 2008, but have those who claim to support territorial integrity condemned even once Georgia's aggression against South Ossetia? No one raised that issue in the statements that were made today. That omission is one of the reasons why, unfortunately, our work on developing a draft resolution that would have mandated new, useful functions to the United Nations in that region ended in failure. There has been a lack of objective analysis. I do not even call for a self-critical analysis, but merely for an objective analysis of what happened and how the outcome of those events should be viewed today.

The President: There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 7.05 p.m.

United Nations S/PV.6144

Security Council

Sixty-fourth year

Provisional

6144th meeting

Wednesday, 17 June 2009, 3 p.m.
New York

President:	Mr. İlkin	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Kafando
	China	Mr. Liu Zhenmin
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Heller
	Russian Federation	Mr. Churkin
	Uganda	Mr. Mugoya
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. DiCarlo
	Viet Nam	Mr. Bui The Giang

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/300)

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09-37195 (E)

Please recycle

The meeting was called to order at 3.10 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2009/300)

The President: I should like to inform the Council that I have received a letter from the representative of Serbia, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Vuk Jeremić (Serbia) took a seat at the Council table.

The President: On behalf of the Council, I extend a warm welcome to His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia.

In accordance with the understanding reached in the course of the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Lamberto Zannier, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo.

It is so decided.

I invite Mr. Zannier to take a seat at the Council table.

In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to His Excellency Mr. Skender Hyseni.

It is so decided.

I invite Mr. Hyseni to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them document S/2009/300, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

At this meeting, the Security Council will hear a briefing from Mr. Lamberto Zannier. I now give him the floor.

Mr. Zannier: The report (S/2009/300) members of the Security Council have before them today details the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) during the period from 10 March to 31 May 2009.

With the conclusion of UNMIK's three phases of reconfiguration, following the report (S/2008/354) of the Secretary-General of 12 June 2008, UNMIK has progressively shifted its focus towards an increasingly diplomatic and political role focused on facilitating dialogue and external relations and fostering minority rights. As set out in the Secretary-General's report (S/2008/692) of 24 November 2008, which was welcomed by the Council in a presidential statement (S/PRST/2008/44), UNMIK's reconfiguration is both timely and necessary. Moreover, it has served to enhance UNMIK's effectiveness, in view of the prevailing circumstances on the ground, which have increasingly limited the scope for performing administrative functions. The reconfiguration took place in a transparent manner vis-à-vis all stakeholders. It was also consonant with the United Nations position of strict neutrality on the question of Kosovo's status.

Under the guidance of the Secretariat, UNMIK has adhered strictly to the guidelines that provided for reductions in its budget, which took into account the role of other actors on the ground and the valuable synergies of the joint international effort. UNMIK's role today is different, but no less relevant or vital. The newly reconfigured UNMIK will continue to perform its functions under resolution 1244 (1999), with the overall aim of ensuring peace and stability in Kosovo.

UNMIK's proposed budget for the upcoming 2009-2010 budget cycle amounts to $47,082,000 and provides for 507 staff members. This reflects the new

role taken on by the European Union Rule of Law Mission in Kosovo (EULEX) in that field, as well as the continuing role of the Organization for Security and Cooperation in Europe (OSCE) in monitoring respect for human and minority rights through their extensive field presence. UNMIK's resources and skills, combined with those of the other organizations, provide the full panoply of expertise and staff needed to implement our mandate while promoting synergies and avoiding duplication of efforts.

The United Nations remains uniquely situated to play a useful role for both sides, inter alia by facilitating the resolution of problems as an intermediary between parties that are not ready to deal with each other directly. This may involve mediating between the communities or facilitating Kosovo's engagement in external affairs, which is key to ensuring the functionality of such regional processes as, for instance, the Central European Free Trade Agreement. Our status of neutrality allows us to use our efforts to nurture the reconciliation of Kosovo's communities and foster regional cooperation, for the benefit of all of Kosovo's people and for the stability and development of the region as a whole.

Regrettably, our ability to promote status-neutral solutions to practical issues is being affected by the positions taken by the parties in anticipation of the issuance of the advisory opinion requested by the General Assembly from the International Court of Justice (ICJ) on Kosovo's declaration of independence. Whether justified or not, Belgrade and Pristina have been viewing every action they or we take through the prism of how it may be perceived or interpreted by the ICJ as potentially either weakening or strengthening the case of one side or the other.

In spite of those difficulties, UNMIK continues to engage with the various stakeholders on matters affecting the lives of all of Kosovo's communities, as a facilitator of a process in which opportunities exist for the sides to engage and resolve differences. While efforts to address specific problems tend to be perceived by one side or the other as a potential threat to its perceived interests, making it often very difficult to move the process forward, we have found that engagement at the technical level, such as in the cultural heritage or in the missing persons areas, is constructive and produces results. We therefore urge both Belgrade and Pristina to find more ways to engage at the technical level to deliver what both clearly advocate, which is a better life for all the people of Kosovo.

In that regard, the period covered by this latest report has been marked by some tangible progress in a number of areas. One such has been progress in finding a solution for the decade-old problem of electricity supply to the Kosovo Serb community south of the Ibar River. After a decade of refusing to pay for the electricity they consume, for political reasons, and following targeted blackouts by the electricity provider, the engagement of the international community, including that of UNMIK where and when warranted, and the support of senior representatives of Serbia's Ministry for Kosovo and Metohija, have resulted in at least 98 per cent of the Kosovo Serb enclaves agreeing to a payment scheme, which has resulted in their receiving a regular supply of electricity.

During this period a crisis was also averted north of the Ibar River, where attempts by Kosovo Albanian displaced persons, backed by the Kosovo authorities, to rebuild a number of houses in the northern Mitrovica suburb of Kroi i Vitakut/Brdjani, met with opposition from the Kosovo Serb community, which held daily protests. With UNMIK's active engagement, an agreement was reached in principle between the communities, to the effect that Kosovo Serbs would be allowed to build homes on newly acquired land in the same area without opposition from Kosovo Albanians. While the issue of reconstruction is inherently linked to the right of return, the Kosovo Albanian and Kosovo Serb communities still perceive matters in more political and strategic terms, and the situation remains fragile.

Another step forward during this period, on a technical issue of importance for the peaceful coexistence of Kosovo's communities, occurred in the area of protecting the Serbian cultural heritage in Kosovo. UNMIK is engaged in strategic cooperation in that area with other actors, such as the Council of Europe. In coordination with other key stakeholders, UNMIK finally succeeded in overcoming a year-long stalemate, and last month was able to reactivate the Reconstruction Implementation Commission, which deals with rebuilding Serbian Orthodox Church sites. The reconstruction of cultural patrimony is one of the few areas in which representatives of Belgrade and of Pristina interact directly at the technical level.

Another such area is that of missing persons, where Pristina and Belgrade continue to meet, putting status-related concerns aside. The Pristina and Belgrade delegations of the Working Group on Missing Persons met on 3 June at an open session in Belgrade. Both delegations provided information on potential sites that could contain the remains of people considered missing and pledged to do more to address the problem of missing persons. The Working Group agreed that the positive momentum achieved must be continued and developed further, but here too much remains to be done, and it is key that the issue remain non-politicized.

Further positive steps have been taken over the past few weeks towards restoring the effectiveness of the Kosovo Property Agency (KPA). As members may recall, following the entry into force of the Kosovo constitution, KPA offices in Serbia that had facilitated the collection of claims, the gathering and verifying of information and the delivery of decisions were closed, thus hampering the process leading to the final adjudication of a significant number of claims. A solution has recently been agreed upon by all stakeholders to request that the Office of the United Nations High Commissioner for Refugees (UNHCR) provide for an arrangement that would allow for the operation of KPA offices in Serbia under the umbrella of the United Nations. Such a solution would allow for the constructive engagement of Pristina and Belgrade to ensure restitution of the property rights of internally displaced persons within the framework of resolution 1244 (1999). I have therefore asked UNHCR to consider entering into such an arrangement, and I take this opportunity to acknowledge the continued cooperation of UNHCR and its valuable contributions in ensuring the protection of the rights of the displaced communities of Kosovo.

The number of voluntary returns remains disappointingly low and, despite repeated calls by the Kosovo authorities for Serbs to return to Kosovo and reclaim their homes, the response has been negligible. To their credit, the Kosovo authorities, supported by the international community, are making efforts to ensure that the conditions exist for sustainable returns.

Throughout the reporting period, UNMIK has been cooperating closely with the European Union Rule of Law Mission in Kosovo (EULEX). EULEX continues to operate throughout Kosovo under the overall authority of the United Nations and within the status-neutral framework of resolution 1244 (1999). As noted in the annex to the Secretary-General's report, EULEX declared itself to be at full operational capability on 6 April and now has a staff of 2,569. EULEX is engaged in monitoring, mentoring and advising Kosovo's rule of law institutions and exercises certain executive functions. EULEX has also engaged in discussions with the Government of Serbia, including meetings in Belgrade with the Serbian Deputy Prime Minister/Minister for the Interior, and the Ministers for Kosovo and Metohija for Finance and Justice. UNMIK has remained fully involved in these consultations.

With the process of reconfiguring UNMIK nearly completed, the Organization for Security and Cooperation in Europe (OSCE) continues to carry out its mandated responsibility for comprehensive monitoring throughout Kosovo through its extensive field presence. Timely OSCE reporting earlier this year on the disputed reconstruction of Kosovo Albanian houses north of the Ibar river and on the electricity cuts in Serbian enclaves south of the river are just two examples of how OSCE fulfils this important role. With its main focus on ensuring that the human rights of Kosovo's diverse ethnic communities are protected, OSCE is well-placed to play an even greater role as a mediator in disputes between the communities, a role I have strongly encouraged it to play, as it builds the capacities of local institutions and fosters democratic principles and practices.

I assumed the duties of Special Representative of the Secretary-General and Head of Mission a year ago. It has been a year of intense activities, and with the cooperation of all, we managed to ensure that the delicate phase of transition did not produce instability or crisis. However, as I have outlined, much remains to be done, and this means that we will need to continue to work towards the resolution of the remaining issues. Looking ahead, the reconfiguration of UNMIK also presents us with an opportunity to enhance cooperation between the various United Nations actors operating in Kosovo, improving the overall coherence and effectiveness of United Nations action and promoting greater interaction in pursuit of our shared objectives.

A founding purpose of the United Nations is to harmonize the actions of nations in the attainment of peace and the resolution of economic, social, cultural or humanitarian problems and to promote respect for human rights and fundamental freedoms. This goal has

been foremost in our minds during these past three months, while we completed the reconfiguration of UNMIK. Our goal, with the support of EULEX, OSCE and the international military presence, remains to ensure stability, foster reconciliation and allow for the return of internally displaced persons. I am confident that the reconfigured Mission, enhanced by the significant OSCE field presence and by the EULEX police and justice components, represents a well-honed tool for performing these functions on behalf of the Council and the Secretary-General. My staff and I hope we can continue to count on the support of the Council.

The President: I thank Mr. Zannier for his briefing. I now give the floor to the Minister for Foreign Affairs of the Republic of Serbia, His Excellency Mr. Vuk Jeremić.

Mr. Jeremić (Serbia): Thank you, Mr. President, for convening this meeting of the Security Council.

Once again, we are gathered to discuss the dangerous consequences of the 17 February 2008 unilateral declaration of independence by the ethnic Albanian authorities of Serbia's southern province of Kosovo and Metohija.

I welcome the presence of Special Representative Lamberto Zannier, and I wish to underline the Secretary-General's observation, contained in his most recent report, that the cooperation, constructive engagement and "continuing support of the Security Council and of the broader international community for a reconfigured UNMIK is of crucial importance" (S/2009/300, para. 44).

Reconfiguration has been brought to its end-state, as the report indicates. Therefore, no further reduction in the resources of the United Nations Interim Administration Mission in Kosovo (UNMIK) should be undertaken.

The United Nations remains the overall authority in Kosovo, as mandated by this Council in resolution 1244 (1999). It must continue to play a vital role in coordinating all the international organizations that operate under its umbrella. The capacity of UNMIK to cooperate effectively with the European Union Rule of Law Mission in Kosovo (EULEX) in particular must not be constrained. Our amendments to the UNMIK budget for the coming fiscal year have sought to reinforce that essential element of its mandate.

At the very beginning of my remarks, I would like to express my country's deep gratitude to the vast majority of Member States, which respect the sovereignty and territorial integrity of Serbia. The solidarity we have received from all over the globe encourages us to persevere in our efforts to resolve the future status of Kosovo in a way that is acceptable to all responsible stakeholders. It is my sincere hope that we will continue to work together in defence of the basic principles of international law, thus strengthening the universal case for the consensual resolution of disputes throughout the world.

At the same time, we note with deep regret the dismissal of resolution 1244 (1999) by Pristina. As the Secretary-General's report makes plain, the ethnic Albanian authorities in Kosovo asserted that "they had no legal obligation to abide by it" (ibid., para. 2).

No one should be permitted to ignore the decisions of the Security Council. I therefore urge the Council to insist that all parties uphold the commitments that arise from resolution 1244 (1999). It was passed under Chapter VII of the United Nations Charter, which binds all to respect its provisions in full. This is our common legal imperative and our moral obligation.

Serbia will never, under any circumstances, implicitly or explicitly recognize the unilateral declaration of independence by the ethnic Albanian authorities of our southern province. On this issue, we will not yield, come what may. We will continue to defend our integrity in a non-confrontational manner, using all peaceful means at our disposal.

As a result of our measured response to the unilateral declaration of independence, the unstable equilibrium on the ground has largely been kept in check. We have sought to contain flashpoints despite numerous provocations, such as the targeted power cuts, pressure to sign loyalty oaths and the construction of new, unauthorized housing settlements.

Kosovo should not stand outside the rules of the international system. It is no exception, not a unique case, nor is it sui generis. As a result of the unilateral declaration of independence, that declaration has become a test of global significance. Should it be allowed to stand, a door would open for challenging the territorial integrity of any United Nations Member State.

On 8 October 2008, the General Assembly approved, by an overwhelming margin, resolution 63/3 to refer the unilateral declaration of independence issue to the International Court of Justice (ICJ). The judicial proceeding has begun, and it marks the first time that the ICJ has been asked to consider the legality of a unilateral attempt by an ethnic minority to secede from a United Nations Member State, in defiance of that State's democratic constitution and the will of the Security Council.

The case has attracted attention across the globe, as the active presence at the Court of representatives of countries from all continents to participate in the unilateral declaration of independence hearings makes clear. The ICJ conclusions will have far-reaching consequences for the international system as a whole. It is therefore vitally important that the legal process be allowed to run its course, free of political interference.

We should all respect the fact that the Court is deliberating on the issue. Therefore, new recognitions of the unilateral declaration of independence should not be encouraged, and multilateral bodies should refrain from extending membership to the secessionist authorities in Pristina. Once the ICJ hands down its opinion, we will have cause to look again into the issue, informed by the findings of the Court.

In the meantime, we should find the strength to put our differences on status to one side for the sake of peace and stability and for the residents of the province. This is a time for leadership and working together, armed with prudence and strategic vision. Let us not increase the divide. Some countries have recognized the unilateral declaration of independence. Others have not. We all have our constraints, and they should be respected. Let the Court do its work, while we focus on improving the lives of citizens instead of making them the victims of our disagreements.

Let us engage with each other so as to rebuild holy sites, alleviate poverty, create jobs, provide health care and education, reduce crime and improve public security. Working at cross purposes should stop. Let us create new opportunities for achieving practical results by engaging with one another on a whole host of questions.

I propose that we begin with the central humanitarian issue of internally displaced persons (IDPs). According to the Office of the United Nations High Commissioner for Refugees (UNHCR), more than 200,000 Kosovo Serb IDPs have not returned to the province. Last year, only around 500 returned; and, during the latest reporting period, no more than 30. That is a failure of monumental proportions. Kosovo Serb IDPs want to exercise their right of return, and we must do everything to bring them back home. That means improving conditions on the ground to make them feel safe. Few destroyed houses have been rebuilt, and most remain empty. That is not, however, where the biggest problem lies. More than 40,000 claims have been filed by Kosovo Serb IDPs for the return of illegally seized private property, and they have not had any response. The first step, therefore, is to make sure that those claims are delivered. Right now, that is impossible. Sadly, the UNMIK-administered Kosovo Property Agency has ceased to exist.

We urge the international community to embrace the initiative of the Special Representative of the Secretary-General to get UNHCR to take over the functions previously performed by the Kosovo Property Agency. Through its Office in Belgrade and others in Serbia that United Nations agency can serve as a focal point of our engagement.

On 6 April, the European Union announced that EULEX had reached full operational capacity, following the visit to Belgrade by the head of EULEX, Mr. Yves de Kermabon. While the United Nations has not transferred all rule of law functions to the European Law and Order Mission in Kosovo, it has adhered to the assumption by EULEX of operational responsibility within the parameters set out in the Secretary-General's report (S/2008/692). That report affirms that EULEX will fully respect resolution 1244 (1999) and operate under the overall authority and within the status-neutral framework of the United Nations.

Since that time, the Republic of Serbia has engaged with EULEX and UNMIK on a whole host of practical issues of common concern within the parameters welcomed by the Security Council. The Secretary-General's six-point arrangement (S/2008/354, annex I) must be applied in full. Some progress in that direction has been achieved, although "comprehensive or long-term solutions have not yet been agreed" (S/2008/300, para. 43).

We deeply regret that more has not been accomplished to date. That is due in part to the

reluctance of Pristina to accept that the infamous Ahtisaari Plan was not endorsed by the Security Council, thanks, in large part, to the principled position of the Russian Federation.

I turn to a brief discussion of the six points and related practical issues. Regarding the police, the question of senior positions for qualified Kosovo Serbs has not yet been resolved. That has left hundreds of ethnic Serb officers in the province feeling that they would return to a hostile work environment. At the same time, EULEX police and the Serbian Ministry of the Interior have begun to work successfully together in addressing a number of technical matters related to cooperation across the administrative line. Those include organized crime and smuggling and build upon the best practices of our long-standing cooperation with UNMIK police on those matters.

On the courts, some progress has occurred. Unfortunately, some of the broader issues have not yet been resolved, including the appointment of local judges and prosecutors in accordance with procedures consistent with resolution 1244 (1999). The question of the territorial jurisdiction of the northern Mitrovica courthouse remains unanswered, as does the applicability of UNMIK law only. On the other hand, partial progress has been achieved. Urgent cases are being processed. Some trials have been concluded, and cooperation between EULEX prosecutors and Serbia's Office of the War Crimes Prosecutor has been established.

On customs, preliminary meetings have taken place, resulting in certain technical progress on that delicate matter. Resolving it will require enhanced coordination and a renewed dedication to work together on achieving acceptable operating modalities, such as co-location and the distribution of revenues.

That brings me to the Central European Free-Trade Agreement, CEFTA. The success of that important regional trade agreement depends on the consistent application of unanimously agreed rules. UNMIK is a signatory to CEFTA, as the report plainly states. The introduction of new customs stamps by the so-called Kosovo Customs Director-General has regretfully politicized that commercial issue.

We very much hope that, in the months ahead, we will be able to arrive at a set of practical arrangements acceptable to responsible stakeholders. It is clear that a more active role by EULEX, consistent with its mandate, will be required, as will closer coordination with UNMIK.

I would like to draw the attention of the Security Council to a critically important issue, namely facilitating the entry of Serbian officials into the province. That question has, unfortunately, been accumulating ill will for several months and threatens to derail constructive efforts on all other fronts. It is difficult to imagine how we can positively contribute to developments on the ground if our ability to work closely with the Kosovo Serb community throughout the province is hindered. Serbian officials must be able to visit churches and monasteries, assist in the return of IDPs to reconstructed homes, provide food and medical aid, help maintain educational standards and engage on a whole host of other similar activities.

The assignment of operational responsibility to EULEX was welcomed on the presupposition that EULEX would make use of its executive functions when required. Now is such a time. We demand that all necessary measures be taken to swiftly resolve this issue of paramount importance.

Before coming to the end of my remarks, I would like to acknowledge the useful role played by the International Security Force in Kosovo (KFOR) in Kosovo. It had the responsibility to protect our enclaves and holy sites from potential threats, incursions and attacks. KFOR's status-neutral presence in the province is still required in order to satisfy the legitimate security needs of the local population, irrespective of ethnicity. We believe that, under the present circumstances, a troop reduction would be counter-productive.

We will continue to be a reliable partner of KFOR, in accordance with resolution 1244 (1999) and the Kumanovo Military Technical Agreement. The so-called Kosovo Security Force is an illegal paramilitary organization. Its existence and activities, present and future, constitute a direct danger to the consolidation of peace and stability in the Western Balkans and it must be disbanded immediately.

Serbia's democracy is secure, our society has grown strong and our values are safely entrenched in law. We strongly believe in the shared destiny of all European nations. We have demonstrated time and again, through concrete deeds and under difficult circumstances, our determination to become a member of the European Union. This remains our central

strategic priority. We therefore welcome the conclusions reached on 15 June by the EU Foreign Ministers. The decision to commit to placing the Western Balkans States on the white Schengen List rescinds at last the final vestiges of the 1990s.

The Security Council must continue to play a key role in the Kosovo dispute. We believe it would be beneficial for the Council to visit Serbia: Belgrade, Pristina, North Kosovo and the enclaves in order to see first-hand how much work still needs to be done on the ground, within the framework of resolution 1244 (1999). The only conclusion that I believe could be drawn is that coming to an agreement is the way forward. Regretfully, this has not yet been attempted.

A world leader said:

> "All of us share this world for but a brief moment in time. The question is whether we spend that time focused on what pushes us apart, or whether we commit ourselves to an effort — a sustained effort — to find common ground, to focus on the future we seek for our children and, ... choose the right path, not just the easy path."

Taking the right path will not be easy. Unfortunately, there are those who are not yet ready to begin the journey towards compromise. But we must not be discouraged. We must cease pushing each other apart. We must find that common ground. The Republic of Serbia has taken the first step. The next one, we cannot take alone. We wait patiently for a partner to join us in turning away from the painful past and towards a hopeful future.

The President: I thank Minister Jeremić for his statement. I now give the floor to His Excellency Mr. Skender Hyseni.

Mr. Hyseni: Thank you so much for the opportunity to brief you, honourable members of the Council, on the continued accomplishments and steady progress the Republic of Kosovo has been making in all areas, with a special focus on the achievements made since my last statement to the Council in March.

The day before yesterday, we celebrated the first anniversary of the entry into force of our Constitution — the Constitution of the Republic of Kosovo. The new democratic Constitution of my country is a modern foundational document that incorporates all of the minority rights protections from the Ahtisaari comprehensive plan. The leaders and the people of Kosovo were, in fact, very honoured the day before yesterday, to welcome the Nobel Peace Prize winner, Martti Ahtisaari, in Pristina, to celebrate the first anniversary of the entry into force of our Constitution together.

The United Nations Interim Administration Mission in Kosovo (UNMIK) has been reconfigured, and the European Union Rule of Law Mission (EULEX) achieved full operational capability on 6 April. Successful deployment of EULEX throughout Kosovo has been widely appreciated, and the Government of Kosovo has been cooperating closely on all issues. Improvement of the situation in North Kosovo after deployment of EULEX is obvious. Still, there is a lot that needs to be done. Otherwise, the overall security situation in the Republic of Kosovo is very calm and stable.

As I said in my remarks in this forum in March, for practical and pragmatic reasons we have requested the conclusion of the mission and mandate of UNMIK. In light of the continued positive developments in Kosovo and the widespread deployment of EULEX, I reiterate that request today. I also reiterate the commitment expressed in our Declaration of Independence and in our Constitution to respect adherence to international law, including binding resolutions of this body. That commitment has never wavered.

As the Government of Kosovo has assumed full responsibility over the organization of elections — that means over the Central Elections Commission as well — the new Central Elections Commission chairperson has been recently appointed. New elections for municipalities of Kosovo are expected to take place late this autumn. After lengthy consultations with political parties, His Excellency Dr. Fatmir Sejdiu, President of the Republic, has announced 15 November as the date of the new municipal elections.

Another very important institution has been recently established. After adoption of the law on the Constitutional Court, the Parliament of the Republic has also elected the members of the Constitutional Court of Kosovo.

State institution-building has also continued, based on European standards. The build-up of our security force is progressing. As I said in my March statement to the Council, the NATO-trained Kosovo Security Force is a democratic and civilian-controlled

security force. This multi-ethnic and apolitical force will be focused primarily on emergency response and generally on activities to promote development, regional peace, security and stability.

In line with the request for an advisory opinion submitted to the International Court of Justice (ICJ) by the United Nations General Assembly on the question of the declaration of independence, the Republic of Kosovo, in compliance with the set deadlines, has submitted to the Court its written contribution on 17 April. I have also informed the Court of our intention to participate in all subsequent proceedings, including in the hearings due to open on 1 December 2009. The Court has already been notified of Kosovo's intention to present an oral contribution.

As we continue to take an active part in presenting our case before the ICJ, I wish to emphasize our commitment to justice and our trust in justice, and with that, our trust in ICJ justice. We are therefore confident that the ICJ's deliberations and ruling will be fair and impartial. We strongly believe that our position will be confirmed.

Recognition of Kosovo as an independent and sovereign State has continued. Continued recognitions are a clear testimony of progress and stability in Kosovo. Free nations of the world continue to appreciate Kosovo's contribution to regional peace and safety.

I wish once again to extend our profound thanks and appreciation to the peoples and Governments of the Kingdom of Saudi Arabia, the Kingdom of Bahrain, the Republic of the Gambia and the Union of the Comoros for their recent recognition of the independence of my country. We urge all the other nations of the world to support the efforts of the people of Kosovo to build their future as a free and independent country. After having endured decades of unspeakable occupation, terror and slavery, the people of Kosovo deserve to be free and to join the community of the free and democratic nations of the world.

It is with great pleasure that I can speak today about Kosovo's membership in two international financial institutions of special weight and importance to my country, namely the International Monetary Fund (IMF) and the World Bank. On 6 May 2009, the IMF Board of Governors approved Kosovo's application, with 138 member States participating in the voting process, 96 of which approved the decision. It is very encouraging to note that 41 countries that have not yet recognized Kosovo voted in favour of Kosovo's membership.

On 3 June, the voting process for Kosovo's World Bank membership ended with 139 member States participating in the voting and 95 countries approving Kosovo's application. The formal accession to both the IMF and the World Bank will take place on 29 June in Washington, D.C., when the Republic of Kosovo signs both Articles of Agreement.

Membership in these two very important financial institutions is an additional encouragement to the Government of Kosovo to continue its efforts to fight crime and corruption, strengthen the rule of law and maintain macroeconomic stability through fiscal and budgetary discipline during the current economic downturn.

The Government of the Republic of Kosovo has been working very hard on the issues of the economy, justice and security and safety for all of its citizens. Integration of minorities and returnees has continued to be a standing priority of my Government. Prime Minister Hashim Thaçi has been personally reaching out to returning Serb families, and Government funds have been allocated for reconstruction of houses for returnees. Our Government has continued to seek ways to improve the conditions in the minority community areas, especially in the Serb majority areas.

Unfortunately, the Republic of Serbia has continued to prevent the Serb citizens of Kosovo from cooperating with the institutions of Kosovo. Belgrade has also continued to impede our cooperation with neighbours and the international community by blocking our participation in regional and wider international bodies.

Before concluding, I would like to re-emphasize that in the new Kosovo there should be no room for hatred and violence. Kosovo's institutions are committed to building a multi-ethnic democracy at peace with its neighbours and contributing to regional cooperation, peace and safety. The future of all nations of the Western Balkans is in European integration, and Kosovo intends to pursue this goal very vigorously. To achieve those goals, we in the Republic of Kosovo will continue close cooperation with the European Union, the United States and NATO.

In concluding, I would like to re-emphasize Kosovo's commitment toward working with all of the members of the Security Council to promote the shared goals of international peace and security. Once again, I wish to thank you, Mr. President, for the opportunity to present the views of the Republic of Kosovo.

The President: I now give the floor to members of the Council.

Mr. Bui The Giang (Viet Nam): At the outset, I would like to welcome His Excellency Mr. Vuk Jeremić, Minister for Foreign Affairs of the Republic of Serbia, to today's meeting of the Security Council, and thank him for sharing his perspectives on the situation in Kosovo with us. I acknowledge the presence of Mr. Skender Hyseni at this meeting and thank him for his statement. I also thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his important briefing.

My delegation is encouraged by the relatively calm security situation in Kosovo during the reporting period. We welcome the continued, productive efforts by the United Nations Interim Administration Mission in Kosovo (UNMIK) to lend its good offices to all communities residing in the north of Kosovo and in northern Mitrovica with a view to promoting sustainable and peaceful solutions based on dialogue and compromise. We take note of the assumption of full operational capability by the European Union Rule of Law Mission in Kosovo (EULEX) in the rule of law sector, under the overall authority of the United Nations and within the status-neutral framework of resolution 1244 (1999). In this regard, we commend the regular exchange of information and coordination on issues of mutual concern between UNMIK and EULEX and hope that such interaction will continue.

However, in the light of a series of incidents that has occurred in northern Mitrovica, we remained concerned about the ongoing inter-ethnic violence in many parts of Kosovo and attempts to conclude UNMIK's mission without the green light of the Security Council. The continued presence of UNMIK with good faith cooperation from both Belgrade and Pristina and in close coordination with EULEX and the International Security Force in Kosovo (KFOR) is key to maintaining peace and stability on the ground.

We would like to reconfirm our view that the reconfiguration and downsizing of UNMIK should be conducted in a transparent manner and in respect for the United Nations position of strict neutrality regarding Kosovo's status and in ways that enable UNMIK to perform its functions, especially those that enhance the continuous mediation between communities and support minority communities throughout Kosovo.

We therefore call upon all parties concerned to fully and constructively cooperate with UNMIK in its areas of responsibility and strengthen confidence-building measures in order to achieve a comprehensive and long-term solution, taking into account the legitimate interests of all communities. We expect the Security Council and the Secretary-General to continue to play a vigorous and proactive role in this endeavour.

We are also mindful that the number of voluntary returns in 2009 remains disappointingly low and continues to lag behind the 2008 figures. It is our view that the lack of real progress in safeguarding the rights and ensuring the security of national minorities will only exacerbate the mistrust and lead to inter-ethnic tensions. In this context, we call upon all parties concerned to refrain from any rhetoric or action that may ignite violence. At the same time, we strongly urge UNMIK and EULEX to redouble their efforts to promote the establishment of a safe and stable environment conducive to the return of refugees and internally displaced persons throughout Kosovo.

Last but not least, we call for even greater efforts to minimize tensions in and around Kosovo and to reach negotiated solutions to differences through peaceful means.

Mr. Takasu (Japan): I would like to welcome the participation of Foreign Minister Hyseni of Kosovo. I am also pleased with the presence of Foreign Minister Jeremić of Serbia.

I would like to thank Special Representative Lamberto Zannier for his very comprehensive briefing this afternoon. We are very grateful to the Secretary-General and his Special Representative for their contributions to the gradual improvement of the situation in Kosovo. We particularly appreciate the Secretary-General's initiative of reconfiguring the United Nations Interim Administration Mission in Kosovo (UNMIK), which is now approaching its final stage. The European Union Rule of Law Mission in Kosovo (EULEX) is now deployed throughout Kosovo and reached full operational capabilities in early April. We commend EULEX and other international

presences, such as the Kosovo Force (KFOR) and the Organization for Security and Cooperation in Europe, for the stabilization of Kosovo.

We appreciate Serbia's cooperation with the EULEX operation. We believe Serbia's commitment to the European integration process serves to promote the stability and prosperity of the entire West Balkan region, including Kosovo. Therefore, we expect Serbia to continue to further advance its integration into Europe, in cooperation with the international community.

Exactly one year has passed since the entry into force of the Constitution of the Republic of Kosovo. During this period, Kosovo has made steady progress in its own nation-building by strengthening various State agencies. We hope that Kosovo will develop fully as a democratic, multi-ethnic country that will contribute to the stabilization of the West Balkan region.

It is gratifying that the number of countries that recognize Kosovo has been increasing gradually. Kosovo's recent accession to membership in international financial institutions — the International Monetary Fund in May and the World Bank this month — represents a significant opening for its future development within the global economy. We hope that Kosovo will continue to play a constructive role as a responsible member of the international economic community.

The situation on the ground is generally stable, but there are occasionally interethnic tensions in certain areas of Kosovo. I share the concern about the recent incident in Mitrovica. We wish to see more efforts made for the effective protection of minorities. I believe that UNMIK can play a useful role in the interethnic mediation and the dialogue on the six points, in close cooperation with other partners, including KFOR, EULEX and their member States.

Japan has actively supported Kosovo, through the United Nations Trust Fund for Human Security, in its efforts towards peaceful coexistence and sustainable development as a multi-ethnic society, particularly in the northern part of the country.

Japan will continue to extend its strong support from a human security perspective to meet the needs of the people of Kosovo. We remain committed to helping Kosovo develop as a vibrant, multi-ethnic and democratic country.

Mr. Kafando (Burkina Faso) (*spoke in French*): At the outset, allow me to welcome the presence at this meeting of the Ministers for Foreign Affairs of the Republic of Serbia, Mr. Vuk Jeremić, and of Kosovo, Mr. Skender Hyseni. I also duly thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his briefing.

It is with great relief, if not satisfaction, that we see calm prevailing in Kosovo, although some incidents have occurred in the northern part of the country with respect to land and the rebuilding of homes destroyed during the war. Fortunately, such incidents were contained thanks to the prompt intervention of the United Nations Interim Administration Mission in Kosovo (UNMIK), in coordination with the European Union Rule of Law Mission in Kosovo (EULEX), the Kosovo Force and the Kosovo Police, to protect those places and encourage both communities to find lasting peaceful solutions to their differences. It is in the interests of the authorities of Pristina and Belgrade to take all steps necessary to resolve such incidents peacefully. Moreover, we hope that the capacities provided by NATO to the Kosovo Security Force will soon make it operational, allowing it fully to shoulder its security responsibilities.

My delegation welcomes, inter alia, the constructive cooperation extended by the Kosovo authorities to UNMIK, despite some reticence concerning the latter's presence. One thing is clear. Even reconfigured, UNMIK, which enjoys the support of the Security Council and the entire international community, will always have a critical role to play in building security in Kosovo.

It goes without saying that the issue of the status of Kosovo remains the key bone of contention between the parties. However, Serbia's involvement in technical discussions on justice, the police and customs is an encouraging sign. We also welcome the significant progress made in addressing urgent cases before the Mitrovica courthouse and the normalization of the functioning of the legal system in northern Kosovo.

Similarly, progress has been seen in the area of restoring and protecting the Serbian cultural and religious heritage in Kosovo. We are also convinced that the emergence of opportunities for regional

cooperation in many areas, including the cultural, will allow the ultimate achievement of rapprochement and reconciliation.

One key factor in strengthening the reintegration process is clearly the revival of the economy, the creation of jobs and the improvement of the living conditions of the people of Kosovo. We emphasize and commend UNMIK's very important contribution in that regard. It follows that the entire international community must contribute its share of critical support in helping Kosovo to build a solid and viable economy.

We commend the effective assumption by EULEX of an operational role in the rule of law, the police, justice and customs, although we believe that UNMIK should continue to shoulder certain responsibilities in the field of justice. We also wish to thank UNMIK and all the regional and international partners for their support on the issue of missing persons.

Lastly, I wish to commend and encourage all the players working on the ground for the stability of Kosovo, and to express our desire to see all parties demonstrate the resolve and political vision necessary to pursuing a concerted approach that will ensure peace and stability throughout the region.

Mr. Parham (United Kingdom): I, too, would like to join other Security Council colleagues in welcoming the Special Representative of the Secretary-General, Mr. Lamberto Zannier; the Foreign Minister of Kosovo, Mr. Skender Hyseni; and the Foreign Minister of Serbia, Mr. Vuk Jeremić, to the Council Chamber today.

I would also like to express our thanks to the Secretary-General for his comprehensive report (S/2009/300) on developments in Kosovo over the reporting period, and commend the ongoing and important work of the United Nations Interim Administration Mission in Kosovo (UNMIK) to promote stability and reconciliation in Kosovo. We would also like to thank the Special Representative of the Secretary-General, Mr. Lamberto Zannier, for his leadership and hard work.

The Secretary-General's report illustrates that, despite economic difficulties and continuing intercommunal tensions, Kosovo is making good progress. There is a growing number of United Nations Member States — now 60 — that recognize Kosovo, and that growing recognition was evident in the recent overwhelming support shown for Kosovo's membership of the international financial institutions. We would also like to recognize the first anniversary of the adoption of Kosovo's Constitution on 15 June.

We share the Secretary-General's concern about recent tensions over renewed house-building in Mitrovica. The response of the European Union Rule of Law Mission in Kosovo (EULEX) was both effective and proportionate. We welcome the reconciliation work undertaken by the Kosovo Force and UNMIK, which helped to bring about a solution whereby both communities are now rebuilding their properties. The United Kingdom is committed to assisting the Kosovo Property Claims Commission in its work to restore rightful title to property for Kosovars of all communities, and we welcome the fact that displaced people continue to return to Kosovo, albeit at a low rate.

We welcome the good cooperation that exists between the United Nations and the European Union on Kosovo. The role of the EU continues to increase through EULEX, which achieved full operational capacity in April and is making important progress in strengthening the rule of law and re-establishing customs controls. It is right, therefore, that UNMIK should continue to draw down and to focus on those areas where it can play a useful and relevant role, such as supporting Kosovo's engagement with external organizations and promoting returns and reconciliation.

Given global economic difficulties, it is now more important than ever that United Nations missions should be no larger than strictly necessary. We note the view of the Secretary-General that the revised UNMIK budget meets in full the Mission's future mandate requirements. We also call on the Government of Kosovo to engage constructively with UNMIK in order to assist its work, which does not diminish Kosovo's status.

Promoting the rule of law, implementing the decentralization process and encouraging the participation of all Kosovo's citizens in local democratic processes remain key to building a better future for all in Kosovo. UNMIK, EULEX and other international partners must continue to cooperate closely to manage new challenges and achieve these objectives. Local and regional Governments must be prepared to work pragmatically with the

representatives of the international community. That will be particularly important to advance the decentralization process, and that is central to the creation of viable local government to engage with the organs of the State for the benefit of its communities, unlike the unrecognized parallel institutions.

The Kosovo Government must also reach out to all communities to demonstrate its commitment to implementing minority rights and must strive to achieve well-supported free and fair local elections. As the Secretary-General's report notes, the Organization for Security and Cooperation in Europe can also play an important role in capacity-building to assist the elections.

Despite its position on Kosovo's status, the Government of Serbia should continue to engage with the European Union and to encourage the active participation of Kosovo's Serbian minority in the decentralization process. Kosovo's Serbs will benefit from the rule of law and the opportunity to play a part in running their own communities. To obtain those benefits, they will need to participate actively in the local elections and should be encouraged to do so.

The United Kingdom remains committed to supporting the efforts of the international community to promote stability, reconciliation and economic progress in Kosovo, progress that will enable it to advance towards an eventual European Union perspective, in parallel with its neighbours.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We thank the Special Representative of the Secretary-General in Kosovo, Mr. Zannier, for presenting the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2009/300). The Russian side has carefully analyzed that document.

We welcome the participation in today's Council meeting of the Minister for Foreign Affairs of Serbia, Mr. Vuk Jeremić. We are grateful for the assessments he has provided, and we share them. We listened carefully to the statement by Mr. Hyseni, although one cannot call it a standard of objectivity.

We are concerned by the fact that despite all the signals from the Security Council to Pristina on the need to respect the Council's decisions, the representatives of the Kosovo authorities — and this was clearly referred to in the Secretary-General's report — in their public statements continue to demand that the United Nations Mission in Kosovo end its activities, due to the alleged irrelevance of Council resolution 1244 (1999) and their being under no legal obligations to implement it. We believe such behaviour is unacceptable.

Once again we would like to recall that resolution 1244 (1999) continues to remain fully in effect. In accordance with it, the Special Representative of the Secretary-General and the Mission he heads in Kosovo should continue to carry out their functions, including assisting and ensuring the rights and security of ethnic minorities and achieving in the province democratic standards established by the international community. A great deal remains to be done in that regard.

Any independent steps circumventing the Security Council to substantially alter the geography of UNMIK's activities would unequivocally run counter to resolution 1244 (1999) and the package approach to reconfiguring UNMIK adopted by this Council in November 2008. I would recall that in accordance with that approach, any international presence in the province, including the European Union Rule of Law Mission in Kosovo (EULEX), must operate in a status-neutral framework while complying with the prerogatives of the United Nations and resolution 1244 (1999).

We note the positive role of UNMIK and the personal role of the Special Representative of the Secretary-General, Mr. Zannier, in de-escalating tensions in the area of the town of Suchodol/Brdjani, on the outskirts of Kosovska Metrovica in April and May this year. We believe that responsibilities for what took place lie, above all, with the Kosovo Albanian side, who, despite the protests of the local Serbs, unilaterally began to work on restoring the houses of the Kosovo Albanian refugees.

Resolving such a complex and sensitive problem as refugee returns is something that the Kosovo Albanian authorities essentially turned into a political act. For the first time in the past ten years, the return of refugees would take place without the participation of the Office of the United Nations High Commissioner for Refugees, but with the support of international police and military forces. While recognizing the right of refugees to return to their homes, we are of the view that this process must be carried out on an equal

footing, taking into account the views of both the Albanian and Serb communities in the province.

We welcome the ongoing negotiations between Belgrade and the United Nations on involving representatives of EULEX on the six technical issues for ensuring the well-being of the Serbian community in the province. This dialogue clearly will be worthwhile, on the condition that a constructive position and good will be demonstrated not only by Belgrade but also by Pristina. So far, as we see in the Secretary-General's report, the Kosovo authorities demonstrate a reluctance to take part in this process.

We believe that it is necessary that the International Court of Justice consider, objectively and impartially, the submission of the General Assembly on whether the unilateral declaration of Kosovo's independence is consistent with international law. On 16 April Russia presented to the Court a written report reflecting Russia's fundamental position on this issue.

Taking into account that the General Assembly's Fifth Committee is currently discussing the UNMIK budget for 2009-2010, we hope that the resources that will ultimately be allocated to the Mission in Kosovo will prove sufficient for it to carry out its mandate and will take into account the desires of the Serbian side.

We are certain that there is no alternative to maintaining the Security Council's leading role in advancing the Kosovo process. The Council must continue to serve as the guarantor of compliance with international law, the United Nations Charter and the decisions of the Council itself.

Mr. Liu Zhenmin (China) (*spoke in Chinese*): The Chinese delegation wishes to thank the Special Representative of the Secretary-General for Kosovo, Mr. Zannier, for his briefing. We appreciate the efforts he and the United Nations Interim Administration Mission in Kosovo (UNMIK) have made in safeguarding peace and security in Kosovo and the Balkans region.

We listened carefully to the statement by His Excellency the Minister for Foreign Affairs of Serbia, Mr. Jeremić. We also listened carefully to Mr. Hyseni's statement.

Over the last three months the security situation in Kosovo has in general been calm, but tensions remain in some areas, particularly in northern Mitrovica, where a series of incidents occurred. China is concerned about these developments. At the same time, we are pleased to see that under UNMIK's mediation, Kosovo Albanians and Kosovo Serbs have reached initial settlements on issues that include construction of houses. We hope that all parties will continue to exercise restraint, enhance their dialogue and refrain from any rhetoric or actions that may jeopardize peace and stability.

We have taken note of the gradual increase in the number of voluntary returns of members of minority communities in 2009. However, the number still lags behind that of the same period in 2008. We appeal to UNMIK to intensify its mediation efforts to improve relations among ethnic communities. We urge parties concerned to continue to create and coordinate enabling conditions for voluntary returns of members of minority communities.

China believes that all parties must adhere to the purposes and principles of the Charter of the United Nations and the resolutions of the Security Council. They must also respect the sovereignty and territorial integrity of countries, including Serbia. China has always maintained that the best way to resolve the issue of Kosovo is for the Serbian and Kosovar parties to arrive at a mutually acceptable settlement plan through negotiations.

The situation in Kosovo has undergone changes, but the basis for the implementation of resolution 1244 (1999) remains the same. China has taken note of the references in the report (S/2009/300) of the Secretary-General to the accelerated reconfiguration and drawdown of UNMIK to bring its functions in line with the new situation. We believe that the changes in UNMIK are of a technical nature. They must not involve the status of Kosovo or change the United Nations position of neutrality. The issue of Kosovo remains an important item on the Council's agenda. UNMIK must continue to maintain close communication with the parties concerned, as well as to play a key and constructive role in duly settling the issue of Kosovo.

We understand the desire of the European Union to play a role in safeguarding peace and stability in the Balkan region. We note that the European Union Rule of Law Mission in Kosovo (EULEX) has pledged to abide by resolution 1244 (1999) and that it recently submitted another report on its activities. We hope that EULEX will continue to operate under the overall

authority of the United Nations and within the status-neutral framework of resolution 1244 (1999), support the work of UNMIK and play an active role in safeguarding peace and stability in the region.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): I would like to welcome Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, as well as Mr. Skender Hyseni. I would also like to welcome Mr. Lamberto Zannier, Special Representative of the Secretary-General, and to thank him and the others for their briefings.

Despite some isolated incidents and the differences in the positions of Albanian and Serbian Kosovars, we are pleased with the overall stability in the security situation in Kosovo. We pay tribute to the role of the United Nations Interim Administration Mission in Kosovo (UNMIK). We also commend the coordination and cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX).

The report (S/2009/300) of the Secretary-General includes a number of positive elements that can be built upon to normalize the situation between communities and achieve lasting stability of Kosovo, beginning with the rebuilding of homes in the northern part of Kosovo following an agreement between Albanian and Serb citizens. Some progress has also been made in the search for solutions to protect Serbian heritage in Kosovo, and 26 bodies have been identified and returned to their families.

We also note with satisfaction the efforts of the United Nations Development Programme (UNDP) to help returnees and reconstruct homes, including its promise to rebuild 45 residential units by the end of the year as part of the UNDP-managed Sustainable Partnerships for Assistance to Returns in Kosovo. We would also like to commend UNMIK's support for the reconstruction of cultural and religious heritage sites damaged in the wake of the violence in 2004.

Despite the peaceful and positive developments taking place in Kosovo, we continue to be concerned that areas in the North still operate independently from the rest of Kosovo. We are also concerned about the ongoing divisions between the northern and other police forces in Kosovo. In that regard, we believe it important to encourage all citizens to take part in local police and administration.

UNMIK's establishment of the Office for Community Support and Facilitation is an important step that we should all support. It is also important for UNMIK to focus on minority affairs, including by supporting the return process, monitoring human rights and continuing to mediate among local communities.

We stress the need to increase the effectiveness of the Human Rights Advisory Panel as a credible instrument to address claims pertaining to violations of human rights in the framework of UNMIK.

We hope that all parties will continue to cooperate with EULEX in coordination with UNMIK, pursuant to presidential statement S/PRST/2008/44 of 26 November 2008. We also hope that dialogue will continue between Pristina and Belgrade to enforce the ad hoc arrangement on the six common points set out by the Secretary-General in his letter to the President of Serbia dated 12 June 2008.

In conclusion, we call upon all parties to make further efforts to keep the channels of constructive cooperation open with a view to promoting peaceful coexistence and harmony among all parties and communities and avoiding confrontation and violence. We would also like to emphasize the need for all refugees to return home and to protect all internally displaced persons and cultural and religious sites. The issue of missing persons should not be politicized. There must be common ground if peace and stability in Kosovo and the Balkans are to be maintained.

Ms. DiCarlo (United States of America): I, too, would like to welcome to the Council today Mr. Skender Hyseni, Foreign Minister of Kosovo, and Mr. Vuk Jeremić, Foreign Minister of Serbia. I thank them for their comments. I would also like to thank Special Representative Zannier for his comprehensive briefing and for his excellent leadership of the United Nations Interim Administration Mission in Kosovo (UNMIK).

The democratic and multi-ethnic institutions of the Republic of Kosovo have continued to mature since Kosovo's declaration of independence last year. We welcome the increase in cooperation on practical matters among Kosovo's communities, as cited by the Special Representative. We note the recent appointment of an ombudsman to ensure that Government institutions are held accountable to the public and to guard against any abuse of authority. The appointment by the President of Kosovo of a

constitutional court that includes minority representatives is another important development, as is the selection of new members of Kosovo's Central Elections Commission in preparation for Kosovo's upcoming municipal elections. Those will be the first elections run by Kosovo since its independence. The United States offers our support to Kosovo's efforts to ensure that they are democratic and transparent.

We also take note of the recent election of Kosovo to the International Monetary Fund. We await the results of the vote on Kosovo's bid to join the World Bank. Membership in those international financial institutions will help Kosovo to provide economic stability and prosperity for all its citizens and help to integrate Kosovo's economy into the global financial system. All of these developments in Kosovo are consistent with the vision of the Ahtisaari Plan. We note that 60 States Members of the United Nations have recognized Kosovo as an independent and sovereign State.

I would like to address the issue of the Kosovo Serbs. We encourage the Government of Kosovo to continue its efforts to reach out to the Serb and other minority communities. It is positive news that the rate of returns has at long last begun to increase, but returns remain at an unacceptably low level. The Secretary-General documents 660 minority families, comprised of 3,100 individuals, who have expressed interest in returning home to Kosovo in 2009. We look forward to realizing that potential this year, and in this regard, we welcome Prime Minister Thaci's restatement of Kosovo's commitment to returns.

For Kosovo to become a truly multi-ethnic society, Belgrade's cooperation is essential. We welcome the commitment of Belgrade authorities to cooperating with the European Union Rule of Law Mission in Kosovo (EULEX), which is now fully deployed throughout Kosovo. We appreciate the firm response of EULEX and the Kosovo Force to the recent violence over the reconstruction of ethnic Albanian homes in northern Kosovo, a response that helps support freedom of movement, safety and security for all, regardless of ethnicity.

We encourage Belgrade to support the integration of Kosovo Serb communities into Kosovo's institutions, in particular to create conditions for Kosovo Serbs to return to their positions in the Kosovo Police, and to support other pragmatic solutions that will improve the communities' welfare.

Unfortunately, the Government of Serbia continues to block goods from Kosovo, even though UNMIK has certified twice now that Kosovo's new customs stamp complies with resolution 1244 (1999). We encourage Serbia to support intraregional trade, in keeping with its Central European Free Trade Agreement commitments.

The United States fully supports the reconfiguration and downsizing of UNMIK, as outlined in recent reports of the Secretary-General and as reflected in the Secretary-General's current budget proposal. In the light of the positive developments in Kosovo, we believe that the Secretary-General should continue to downsize the UNMIK presence to functions that the Government of Kosovo or international organizations cannot perform, such as facilitating Kosovo's participation in regional organizations such as the Regional Cooperation Council and the Central European Free Trade Agreement. Kosovo's participation in these forums promotes regional cooperation and growth, and is in the entire region's interest.

The stability of the western Balkans remains a high priority for the United States. We strongly support the region's integration into European institutions and its full participation in the Euro-Atlantic community. Kosovo and other Balkan countries still face many challenges, and the United States will continue to support their progress and development.

Mr. Vilović (Croatia): I, too, would like to welcome the Foreign Minister of Serbia, Mr. Vuk Jeremić, and the Foreign Minister of Kosovo, Mr. Skender Hyseni, to the Chamber and to thank them for their statements. We also welcome Special Representative of the Secretary-General Lamberto Zannier and thank him for his comments and his tireless work.

Croatia welcomes the continued and steady progress that Kosovo is making along its path of creating a stable, secure and democratic society while simultaneously strengthening both its economic and its development capacities. Notwithstanding some minor incidents, Croatia welcomes the Secretary-General's assessment that the overall security situation in Kosovo is stable.

Croatia would like to commend the United Nations Interim Administration Mission in Kosovo (UNMIK) for — as stated by the Secretary-General — the effective and useful role it plays in mediating between communities and promoting practical arrangements that can benefit both Pristina and Belgrade. We believe that this fact in itself confirms the indispensable role that UNMIK plays in Kosovo, particularly on issues of external relations and international legal assistance, and we would call on all parties to continue to cooperate with Special Representative Zannier and his team in an effective and efficient manner.

Croatia welcomes the full deployment on 6 April of the European Union Rule of Law Mission in Kosovo, to which Croatia contributes, and would like to take this opportunity to commend its leadership and other contributing countries for their efforts.

Finally, we want to acknowledge the efforts made on the question of the reconstruction of cultural property and the issue of returns. Further progress in this field remains a question of critical importance. We look forward to common success in the development of a vibrant, pluralistic and democratic society in Kosovo, strengthened by its commitment to the values of peace, tolerance, human and minority rights, dialogue and cooperation.

Mr. Mayr-Harting (Austria): I would like to welcome Mr. Vuk Jeremić, Foreign Minister of Serbia, and thank him for his statement. I would equally like to welcome Mr. Skender Hyseni, Foreign Minister of Kosovo, and thank him for his statement. Moreover, allow me to express our deep appreciation for the work of Mr. Lamberto Zannier, Special Representative of the Secretary-General, and for the important contribution he is making on a daily basis to facilitating dialogue between all sides.

We note with satisfaction that the United Nations Interim Administration Mission in Kosovo (UNMIK) has successfully finalized its reconfiguration and downsizing, as foreseen in the report of the Secretary-General before us today (S/2009/300). We are convinced that the new structure and strength of the Mission will enable UNMIK to perform the functions identified in the Secretary-General's reports of June and November 2008 (S/2008/354 and S/2008/692). We particularly welcome the Mission's focus on mediation between the communities and on support to minority communities.

Allow me to take this opportunity to pay tribute to the outstanding performance of the personnel who have served in UNMIK over the past 10 years.

We are particularly satisfied that the European Union Rule of Law Mission in Kosovo (EULEX) assumed its full operational capability on 6 April, allowing the Mission to effectively perform its tasks of monitoring, advising and mentoring the police, customs and judiciary of Kosovo, as well as ensuring effective responses to instances of inter-ethnic violence or major public disturbances.

The European Union will, as it does for the rest of Kosovo, implement its mandate in northern Kosovo in the interests of all communities and will, in that context, ensure an adequate presence. Austria is currently providing 26 experts, above all in the fields of police and the judiciary, to EULEX. Furthermore, we will also continue to contribute to the Kosovo Force (KFOR) with approximately 600 troops. We support the decision by NATO, taken after consultation with non-NATO troop-contributors to KFOR, including Austria, to commence preparations for the transition of KFOR to a determined presence, which also foresees a reduction in troop numbers in several phases.

For our part, we will maintain, as I have said, our level more or less at the present level of contribution, which will continue to make us the biggest non-NATO contributor to KFOR. We see the step taken by NATO as recognition of the progress achieved in the stabilization of Kosovo and as closely linked to the increasing capabilities of EULEX.

In the light of the downsizing of UNMIK, we appreciate the valuable role that the Organization for Security and Cooperation in Europe (OSCE) continues to play in Kosovo in areas where UNMIK has concluded its work or has greatly reduced its activities. The extensive civilian field presence of the OSCE throughout all parts of Kosovo is unparalleled and brings unique continuity and balance to its grassroots monitoring and capacity-building efforts. The early warning mechanism that this monitoring provides is highly valued, in particular at the municipal level. The local elections foreseen for 15 November will also highlight the indispensable support the OSCE has maintained for nearly a decade to the developing democratic institutions of Kosovo.

As we have just heard, there have been several positive developments over the reporting period. We particularly welcome progress in the ongoing decentralizing process in Kosovo, which will be key to addressing minority protection and to strengthening local governance throughout the country. Successful implementation clearly benefiting the minority population, above all the Kosovo Serb community, will, however, depend on their participation in this process and, in particular, in the upcoming local elections.

We are confident that with the necessary pragmatism, solutions to contentious matters can be found, thus taking Kosovo closer to the objective of a multi-ethnic and peaceful society. Despite relative stability in the past months, tensions and incidents of violence, as in northern Mitrovica over the reconstruction of houses by Kosovo Albanian returnees, continue to have a destabilizing potential. While we appreciate the well-coordinated reaction of UNMIK, EULEX and KFOR, we want to reiterate that lasting and peaceful solutions can only be found if all communities engage directly both with each other and with the international presences.

We share the Secretary-General's observation that the efforts of all sides, with the support of the international community, need to continue to further implement the practical arrangements laid out in his report, issued in November last year (S/2008/692). We welcome the increased contribution of EULEX in discussions in the area of the rule of law. Impasses in the fields of police, justice, property rights and customs continue to hinder the normalization of daily life, with negative impacts for both Kosovo and Serbia. We therefore encourage both Pristina and Belgrade to bridge their differences and reach a productive working relationship. Recent reports warn that, owing to political, social and economic discrimination against smaller minorities who have inhabited Kosovo for centuries, many of their members may be forced to leave the country, which give us cause for concern.

We hope that the Kosovo authorities, with the help of the international presence, will increase efforts to translate their commitments regarding a tolerant and multi-ethnic society into effective action so as to facilitate the active participation of all minorities, including the smaller ones, as I said, in all aspects of public life. Particular attention should be paid to the practical application of international human rights law with regard to the entire territory and population. Equally, we expect the Belgrade authorities to use their influence in order to ensure a more positive approach in that regard by the Kosovo Serbs.

While deploring the fact that the overall number of voluntary minority returns remains disappointingly low, we are encouraged by news of the recent gradual increase in numbers. We express our hope that Kosovo's project for returns will prove to be effective in creating conditions conducive to the reintegration of minority communities.

Austria, as is well known, has consistently supported a future for all peoples of the Western Balkans within the European Union. In particular, we hope that Serbia can rapidly advance on its path towards European integration, and Belgrade knows that it can count on the support of the Austrian Government in that matter.

At the same time, we very much appreciate the clear commitment by the Government of Kosovo to the European future and the European perspective of its country. We are convinced that that shared vision will clearly benefit all citizens of Serbia and Kosovo and will help them to look ahead to overcome existing differences and allow for the necessary progress.

Mr. Heller (Mexico) (*spoke in Spanish*): We would like to thank Mr. Lamberto Zannier, the Special Representative of the Secretary-General, for the information that he has shared with us today and Mr. Vuk Jeremić, the Minister for Foreign Affairs of Serbia, for his presence and statement. We also thank Mr. Skender Hyseni for his statement.

We have followed closely the process of reconfiguration of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the full deployment on the ground of the European Union Rule of Law Mission (EULEX). The cooperation achieved between UNMIK and EULEX in the areas of justice, the rule of law and customs shows that there is cooperation between the United Nations and the European Union in promoting regional peace and stability.

For my delegation, it is particularly important that the parties cooperate fully with UNMIK in fulfilling its mandate in accordance with resolution 1244 (1999), respecting the criteria of neutrality. The obligation to fulfil the provisions of that resolution

embodies the legal basis for attaining a lasting and peaceful solution to the Kosovo situation and, in general, for the stability of the Balkans.

We are concerned that, while the situation in Kosovo has remained relatively stable, continuing incidents of tension between Kosovo Serbs and Kosovo Albanians in the past months demonstrate the fragility of the regional stability and the need to encourage inter-community dialogue and confidence-building measures between the parties.

We believe it necessary to strengthen cooperation between UNMIK and EULEX in order to agree on measures to peacefully prevent and contain the possible outbreak of inter-ethnic violence, particularly in north Kosovo. Similarly, UNMIK needs to cooperate more closely with the parties and with EULEX, so as to promote concrete steps to achieve the participation of Kosovo Serbs in the Kosovo Police, since that is one of the issues contributing to tension in the region.

For my delegation, strengthening the rule of law is of the greatest importance in the current situation. We encourage UNMIK and EULEX to continue to seek ways to work together, particularly with regard to the legal assistance to the local authorities. Likewise, we call on the parties and UNMIK to support and fully cooperate with the International Tribunal for the Former Yugoslavia in order to ensure due process for the cases under its jurisdiction.

One very important issue in conflict prevention is the reintegration of minorities, in particular the Kosovo Serbs. However, the reality does not always help that reintegration, which is why it is essential to promote a strategic association among the United Nations development agencies and programmes, the donor community, regional organizations and the Government of Serbia in order to undertake specific measures to promote lasting socio-economic development in the region to provide conditions for people's well-being, including opportunities for employment, access to public services and security, while, at the same time, encouraging the voluntary return of the refugees and internally displaced persons.

In that regard, we welcome the fact that projects for the return of Kosovo Serbian families and the rebuilding of their homes are being implemented with the help of the United Nations Development Programme.

We believe that inter-ethnic relations are one of the most pressing challenges that Kosovo is facing. UNMIK presence is vital to guarantee the protection of the human, property and housing rights of the minorities.

In that respect, it is important that, in the reconfiguration of UNMIK, particular attention be paid to strengthening the Mission component on human rights assistance in order to increase the efficient consideration of alleged human rights violations in the region, and that the parties work closely with the Office of the United Nations High Commissioner for Human Rights and the parties so as to outline a comprehensive strategy for strengthening the protection of human rights in the region.

Finally, my delegation reiterates its position as a steadfast and consistent promoter of the principles of justice and international law, enshrined in the Charters of the United Nations and the International Court of Justice, which is the top jurisdictional body for peacefully solving disputes arising from the interpretation of international law. In that context, we eagerly await the advisory opinion of the Court on the case of Kosovo requested by the General Assembly.

Mr. Mugoya (Uganda): We too welcome Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia, and thank him for his briefing. We also thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, and Mr. Skender Hyseni for their briefings.

We welcome the new developments in the region regarding the reconfiguration and downsizing of the United Nations Interim Administration Mission in Kosovo (UNMIK) within the status-neutral framework of resolution 1244 (1999). Given the challenges in inter-ethnic relations still being faced by Kosovo, the structure and strength of the reconfigured Mission for the 2009 to 2010 period will ensure that the Mission is better resourced for continuous mediation between the communities and for increased support to minority communities throughout Kosovo.

We are encouraged by the level of cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX) regarding exchange of information and coordination on issues of major concern, and we propose that such cooperation in all sectors should continue to be strengthened. We are also pleased to note that EULEX has reached full operational capacity and that it is continuing to operate

under the overall authority of the United Nations and within the status-neutral framework of resolution 1244 (1999).

We acknowledge the increased expertise and professional role of EULEX in the areas of police, justice and customs and commend its contribution in the area of the rule of law. There is need to ensure proper functioning of the Central European Free Trade Agreement mechanisms aimed at promoting economic growth and development in the region. In that regard, we call upon the authorities in Kosovo and Serbia to resolve any outstanding issues regarding customs.

Although it appears that the overall security situation in Kosovo during the reporting period remained relatively calm, we are particularly concerned by the series of inter-ethnic incidents of violence that occurred in the northern Mitrovica suburbs. We call upon both parties to exercise restraint, mutual respect and tolerance in order to harmoniously live together in the interest of peace. We salute the efforts of UNMIK in coordination with EULEX and the Kosovo Force that encouraged both sides to find a sustainable and peaceful solution. We also commend UNMIK for its continued mediation that eventually broke the deadlock and brought the two sides together to agree on a pragmatic solution.

Furthermore, we welcome the important contribution that UNMIK, together with EULEX and the International Committee of the Red Cross, is making in the Working Group on Missing Persons, and we call upon all concerned to offer continued support.

Finally, we commend UNMIK for its work and urge the international community to continue to lend the necessary support to enable it to acceptably execute its role of maintaining peace and stability on the ground.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I wish to begin by thanking Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his presence and his briefing. I also welcome Minister Jeremić and Minister Hyseni and thank them for their statements.

Costa Rica acknowledges the report of the Secretary-General (S/2009/300). It contains important recommendations on the functions that the United Nations Interim Administration Mission in Kosovo (UNMIK) should continue to fulfil in its role as mediator between the parties and in promoting rules to benefit both communities. That was also made clear in the reports of June and November 2008 (S/2008/354 and S/2008/692). We urge the authorities of Pristina to continue working with the United Nations.

Costa Rica recognizes the efforts of UNMIK and the deployment of the European Union Rule of Law Mission in Kosovo (EULEX) as positive measures to strengthen political stability and the implementation and consolidation of the rule of law to intervene to protect and ensure respect for human rights, and to preserve the rich cultural and religious heritage of Kosovo.

In fully supporting the role of the United Nations in promoting the political momentum in Kosovo, my delegation also commends the cooperation between the United Nations and other regional bodies. We welcome the efforts of the European Union to advance the European dimension in the entire Balkan region and support the efforts to reconfigure UNMIK and strengthen the functions of EULEX, in particular in the consolidation of the rule of law. However, Costa Rica is also aware of the need to adopt preventive measures and provide the necessary guarantees to ensure that the process will contribute to lasting regional peace and political stability.

Costa Rica reiterates its conviction that the civilian international presence should oversee the transfer of authority from the provisional to the permanent institutions of Government. My country supports the efforts of the Kosovar State, which we have recognized. We welcome steps to normalize political, legal and economic relations that will gradually promote Kosovo's emergence as a State on the international stage living in peaceful coexistence with its neighbours.

In that regard, we urge all parties to cooperate in implementing practical measures to overcome the isolation of specific groups caused by ethnic tensions or other reasons. As it executes its mandate, the European Union should ensure equal rights for all the communities of Kosovo, a process in which the Organization for Security and Cooperation in Europe has an important role to play in the protection of minorities, in particular the Serbs of Kosovo.

Above and beyond the complex international financial crisis, Kosovo is facing important challenges. It must strengthen its young institutions, practise even-

handedness, moderation and integrity in the application of the rule of law, in particular -- as I said before — with regard to protecting minority. It must establish the necessary equilibrium with its neighbours and move towards the future with the continuing support of Europe in order to ensure its sustainability as a State. The European Union, with its presence in the region and its political vision, should contribute to ensuring common security and work to ensure commitment to and acceptance of the new political realities on the part of all players with direct interests in the region.

Costa Rica urges the European Union and other international organizations to continue to support the socio-economic development of Kosovo in order to facilitate its national consolidation, regional integration and full participation in the concert of nations.

Mr. Ripert (France) (*spoke in French*): I would like to thank Mr. Vuk Jeremić, Minister for Foreign Affairs of Serbia and Mr. Skender Hyseni, Minister for Foreign Affairs of Kosovo, for their presence.

I also wish to thank Mr. Lamberto Zannier, Special Representative of the Secretary-General, for his statement and for the work that he and his team are doing. We appreciate his work as the head of the United Nations Interim Administration Mission in Kosovo (UNMIK), in cooperation with the other international presences, first and foremost, of course, the European Union Rule of Law Mission in Kosovo (EULEX).

A year ago almost to the day, Kosovo adopted its Constitution. At that time, we called on the Kosovo authorities to rapidly implement all the provisions of the Constitution, which is exemplary in its adherence to European standards and values. The new authorities in Kosovo have honoured their commitments, in particular by adopting several laws essential to strengthening the rule of law and to the participation of minorities. In particular, the Government's strong commitment to decentralization is a key decision in favour of the progressive building of a multi-ethnic Kosovo. The protection of the rights of minorities is a priority for the European Union, which will ensure the fulfilment of the commitments undertaken by the authorities in that area.

Despite some outbreaks of violence fanned by extremist elements often linked to criminal groups, the security situation in Kosovo has been remarkably stable in recent months. The population and all communities have thereby indicated their firm dedication to peace and stability.

Internationally, 60 States now recognize Kosovo. We also welcome Kosovo's accession to membership of the International Monetary Fund and the World Bank, a move that is essential to the economic development of the country. Such developments will contribute to the emergence of a new State on the international stage and to stability throughout the Balkans.

The deployment of EULEX was completed on 6 April. As it has progressed, the inhabitants of Kosovo have come to see that, despite the negative propaganda spread by certain extremist groups, the European Mission is acting for the benefit of the entire population and all communities.

Pursuant to the reconfiguration of the international presence decided by the Secretary-General and endorsed by the Security Council in its presidential statement of 26 November 2008 (S/PRST/2008/44), EULEX is now responsible for all operational tasks in the rule of law sector that previously fell to UNMIK. The reconfiguration is in no way synonymous with a reduction of the international presence in Kosovo. On the contrary, it represents a robust step and testimony to the ongoing commitment of the international community.

As it does for all United Nations missions, the Security Council will have to consider the evolution of UNMIK's mandate. In that respect, we believe that the proposals made by Mr. Zannier and by the Secretary-General in his report (S/2009/300) are quite appropriate.

Acting within the framework of resolution 1244 (1999) and under the overall authority of the United Nations, EULEX works in coordination with the other components of the international presence, in particular UNMIK, which continues to play a useful role. I wish to recall the importance that France attaches to the due cooperation of the Kosovo authorities with the United Nations.

The European Union, for its part, has followed the dialogue launched by the Secretary-General with all parties concerned on the reconfiguration of the international presence. The dialogue is key to stability in the region. We are well aware of the difficulties involved. The profound differences between the Serb

and Kosovar authorities will not be settled overnight, but that should not prevent us from seeking together, through dialogue, practical solutions to the concrete problems that affect the lives of all the Kosovo communities.

We listened carefully to the statements made by Mr. Jeremić and Mr. Hyseni. We were pleased to note that, despite their ongoing differences, they have a shared interest in preserving the conditions for a common future within Europe. We therefore encourage Belgrade and Pristina to renew direct dialogue as soon as possible.

France particularly wishes to tell Mr. Jeremić that, in supporting the European initiatives to contribute to stability in the region, he will help to establish conditions for a common future for the West Balkans. That was the message that French President Sarkozy conveyed to President Tadić during the latter's recent visit to Paris. At the same time, at a recent meeting of its General Affairs and External Relations Council, the European Union took another step forward by deciding to accelerate the process of visa liberalization for all the Balkan countries.

To Mr. Hyseni, we naturally wish to reiterate the support expressed by our President for Prime Minister Thaci during his visit to Paris, and to convey to him that it is through tangible progress towards a state of law and respect for neighbouring minorities and through an effort to forge bonds of friendship with Kosovo's neighbours that his country will advance down the road to European integration.

The European Union is fully cognizant of its responsibilities for overcoming obstacles to a stable and prosperous future for the West Balkans. In that spirit, we will strive in the months to come to proceed towards a common future for Serbs and Kosovars in the framework of the European Union.

The President: I shall now make a statement in my capacity as the representative of Turkey.

I should like to extend a warm welcome to the Minister of Foreign Affairs of Serbia, Mr. Vuk Jeremić and the Minister of Foreign Affairs of Kosovo, Mr. Skender Hyseni.

I would also like to thank Mr. Zannier for his briefing. We appreciate his efforts. We would also like to acknowledge and express our appreciation for the past and current role of the United Nations Interim Administration Mission in Kosovo (UNMIK) in ensuring peace and stability in Kosovo. Of course, the same goes for the Kosovo Force.

Sixty countries have recognized Kosovo. Turkey was one of the first to do so. This figure also lends clear legitimacy to the declaration of independence of Kosovo. We are pleased to see that the overall situation in Kosovo is stable and that the Kosovo authorities are taking the necessary steps to consolidate their State institutions and system. This is a process that we fully support and to which we remain ready to further contribute in any way we can.

In that line, we support the efforts of the Secretary-General and his Special Representative to reconfigure UNMIK. In this regard, we are pleased to see that the process is going smoothly and that we are close to finalization. At the same time, we believe that UNMIK still has an important role to play in Kosovo, especially in helping to facilitate the resolution of a number of practical but serious problems.

We are also pleased to see that there is a good working relationship and cooperation between UNMIK and the European Union Rule of Law Mission in Kosovo (EULEX). We encourage both Serbia and Kosovo to cooperate with UNMIK and EULEX.

We attach great importance to security and stability in the Balkans and see the independence of Kosovo in the framework of lasting peace, stability and prosperity in the entire region. That being the case, the support given to Kosovo in its efforts to integrate into the international community and institutions should be further intensified. We will do our part in that regard.

We must also underline that a democratic and prosperous Serbia at peace with its neighbours is crucial to regional stability and cooperation. The international community should continue to encourage and support Serbia in its efforts to integrate into European and Euro-Atlantic structures. As for Turkey, we are determined to carry forward our friendly and mutually beneficial relations with Serbia.

Being very much a part of the Balkans, we are committed to working with all our partners towards ensuring a safe, stable and prosperous future for the region.

I now resume my functions as President of the Security Council.

Mr. Skender Hyseni has asked for the floor to make a further statement. I give him the floor.

Mr. Hyseni: Cognizant of the Security Council's time, I wish nevertheless to respond to a number of points made by Mr. Jeremić in an evident effort to mislead the Council, especially when he tried to tell the Council that the independence of Kosovo was declared by the Provisional Institutions of Self-Government — that is, by Albanians alone.

I wish to inform the members of the Council that the independence of the Republic of Kosovo was declared by elected representatives of the people of Kosovo, including by all elected representatives of non-Albanian communities except the members of the Serb community. All the representatives of the Bosnian, Turkish, Egyptian, Roma and other communities voted in favour of Kosovo's independence.

With respect to the returnees, I wish to inform the Council that the Government of the Republic of Kosovo is vitally committed to and interested in returning to their homes every single displaced person and every single refugee — I emphasize, every single one. We stand ready to provide, at whatever cost, conditions for returning every single citizen of ours.

However, I have to point out that the kind of game that is being played with figures is not helpful. Two hundred thousand Kosovo Serbs, said Minister Jeremić, are still displaced. I have to repeat yet again that according to the last census — which was conducted by the Serbian-imposed authority in Kosovo — the largest number of Serbs ever living in Kosovo was 195,000. Presently, in Kosovo 135,000 Serbs live. I do not know where that 200,000 figure is found.

I wish to again inform the Council that the Republic of Serbia — the Government in Belgrade — is not helping the returns. The Government in Belgrade is encouraging the refugees from Kosovo in Serbia not to return so that the Government in Belgrade could have an alibi to tell to respectable forums such as this one that Kosovars are not doing what they should be doing.

We have no reason whatsoever to fear the returnees — quite the opposite. As I said earlier, my President, Prime Minister, all members of the Government and ministers are doing their utmost to make sure that all the conditions are there. Ultimately, it is impossible to force — and we do not want to force — any single individual to do what he or she is not willing to do.

Kosovo is an independent country, and Kosovo will never again seek authorization from Belgrade to do anything whatsoever. That should be clear once and for all. But that should not prevent us from working together. We are willing to work with Belgrade to improve the situation of our Kosovo Serbs, if that is what it takes to have our Kosovo Serbs work with us, because we are willing to deliver on our commitments to improve their lives. We are not willing to make use of unfortunate destinies of individuals in the Serb community for any sort of political sport, because we do not need that.

Again, we have an unspeakable game with figures, close to science fiction — 40,000 claims. The Kosovo Property Agency is going to consider carefully every single claim. Property will be restored to every single citizen, whether Serb or Albanian, or whatever ethnic background. But I have to just invite the Council's attention to the damage that this kind of game with figures may cause, great damage.

Kosovo is a single customs entity and is going to remain as such. Kosovo is also a single judicial entity. Regarding the South-East European Cooperation Process, the Regional Cooperation Council and other regional mechanisms, Kosovo is very much interested in being part of those initiatives. Kosovo is insisting firmly on being part of regional efforts to fight organized crime and cross-border criminal activity and to be part of every single other regional initiative that would benefit the peoples and States all over the region.

The Kosovo Security Force is not an illegal paramilitary institution. It was established on the basis of recommendations of a Nobel Peace Prize winner, Marti Ahtisaari. I do not think a Nobel Peace Prize winner would ever suggest the establishment of an illegal paramilitary criminal force. I tell Mr. Jeremić that he should never fear the Kosovo Security Force. What he should fear is the still-too-many supporters of Milosević in the military and police structures in Serbia. That is what Mr. Jeremić should fear, not the Kosovo Security Force.

The President: I now give the floor to His Excellency Mr. Vuk Jeremić to make a further statement.

Mr. Jeremić (Serbia): I really want to direct the attention of the Council briefly to the source of the figures that were mentioned in the intervention of Serbia: 206,000 is the official number of the United Nations High Commissioner for Refugees (UNHCR). It is really unbelievable that here in this building somebody is doubting the official numbers of the UNHCR. That is the number of this Organization when it comes to the number of Serb internally displaced persons; it is not the number of the Serbian Government.

As to the 40,000 unresolved claims for illegally seized property, that is the official number of the Kosovo Property Agency during the time it operated under UNMIK. The 40,000 claims are waiting to be processed; the people have not heard back. These numbers are quoted by international sources.

We do really want to find ways of working together. It is not Serbia that fears this Kosovo Security Force; it cannot fear the Kosovo Security Force. It is the citizens of Serbia who live in the province who fear the Kosovo Security Force; that is their position. So I believe we need to do more to try to rebuild the trust of those people who have been living under those conditions since 1999. The reason why the do not trust any Pristina institutions, and why they are not taking any steps towards working with them, probably has to do with the way they have been treated in the past ten years.

We do want to help everybody. We want to fight organized crime. I think that regional efforts should be made to fight organized crime, first and foremost in the province of Kosovo. I am really not breaking any news to anybody here in the Council when I say that Kosovo is the hub of organized crime, not just for the Western Balkans but for all of Europe. There is a lot of work to be done there in order to combat organized crime. Serbia wants to work with the international community in order to curb organized crime in the province.

Having said all that, I want to emphasize our intention to work constructively together with everybody in order to find solutions to practical problems on the ground, for the sake of the citizens of the province. We stand behind these remarks and look forward to a more hopeful future — a future in which all United Nations Member States of the Western Balkans become member States of the European Union.

The President: There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 5.20 p.m.

United Nations S/PV.6145

Security Council

Sixty-fourth year

Provisional

6145th meeting

Thursday, 18 June 2009, 10 a.m.
New York

President:	Mr. Davutoğlu	(Turkey)
Members:	Austria	Mr. Mayr-Harting
	Burkina Faso	Mr. Kafando
	China	Mr. La Yifan
	Costa Rica	Mr. Urbina
	Croatia	Mr. Vilović
	France	Mr. Ripert
	Japan	Mr. Takasu
	Libyan Arab Jamahiriya	Mr. Dabbashi
	Mexico	Mr. Puente
	Russian Federation	Mr. Churkin
	Uganda	Mr. Rugunda
	United Kingdom of Great Britain and Northern Ireland	Mr. Parham
	United States of America	Ms. Rice
	Viet Nam	Mr. Bui The Giang

Agenda

The situation concerning Iraq

Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008) (S/2008/284)

This record contains the text of speeches delivered in English and of the interpretation of speeches delivered in the other languages. The final text will be printed in the *Official Records of the Security Council*. Corrections should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room C-154A.

09-37304 (E)

Please recycle

The meeting was called to order at 10.15 a.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Iraq

Report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008) (S/2009/284)

The President: I should like to inform the Council that I have received a letter from the representative of Iraq, in which he requests to be invited to participate in the consideration of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite that representative to participate in the consideration of the item, without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Al Bayati (Iraq) took a seat at the Council table.

The President: In accordance with the understanding reached in the course of the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Staffan de Mistura, Special Representative of the Secretary-General and Head of the United Nations Assistance Mission for Iraq.

It is so decided.

I invite Mr. De Mistura to take a seat at the Council table.

Before proceeding with the item on the agenda, I would like to say a few words in my national capacity about the importance of this meeting from Turkey's point of view.

As we all know, Iraq has been on the Security Council's agenda for almost two decades now, and this Chamber has witnessed many significant milestones in the history of Iraq. For the past six years in particular, the Security Council has been an important forum, where the international community has reviewed and responded to various challenges facing the new Iraqi regime and, in fact, the entire United Nations membership for that matter. Indeed, this is where the road map to security and stability in Iraq was devised, and the commitment of the United Nations and of the international community to help Iraq along that path has been reconfirmed time and again.

That said, as Iraq has taken encouraging strides towards achieving the objectives set forth in numerous Security Council resolutions and assumed increasing ownership of its future, the discussions in the Council have, over time, become more concerned with stocktaking. That is a welcome development. In fact, we look forward to a time when Iraq will not be discussed as an issue of concern for the maintenance of international peace and security, but where Iraq itself will contribute to regional and global peace and security on its own. We feel that we are getting close to that point.

In the light of the foregoing, one may happily see today's meeting as a regular discussion on the situation in Iraq even though today Iraq is passing through a critical point in time, with various challenges still standing in the way of a stable and prosperous future. Iraq's assumption of security responsibilities from the Multinational Force MNF-I and the holding of national elections are two examples that immediately come to mind.

Thus, reaffirmation of the support of the United Nations and of the international community at this particular moment is critical. Indeed, we need to acknowledge the good work done by the Iraqi Government and express our readiness and willingness to stand with them in tackling the challenges that lie ahead. That is why we have seen these regular debates on the basis of the Secretary-General's quarterly reports as a golden opportunity to convey a strong message of support by the Council.

Being an able and strategic partner of Iraq, we felt that Turkey's presidency of the Council during this meeting makes it even more meaningful. At least, that is how we see the situation and that is why I have travelled to New York for the second time in less than 15 days in order to be present at this important discussion. I am looking forward to a lively exchange, where, hopefully, we will unequivocally confirm the terms of our commitment to the territorial integrity, unity and political sovereignty of Iraq, living at peace with itself and its neighbours.

Without further ado, I resume my functions as president of the Council and continue with the order of business.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them document S/2009/284, which contains the report of the Secretary-General pursuant to paragraph 6 of resolution 1830 (2008).

At this meeting, the Security Council will hear a briefing by Mr. Staffan de Mistura. On behalf of the Council, I would like to express our gratitude to Mr. De Mistura, who is today making his last appearance before the Council in his capacity as the Special Representative of the Secretary-General for Iraq.

We appreciate Mr. De Mistura's capable leadership of the United Nations Assistance Mission for Iraq and his unwavering approach to that challenging work since he assumed the post in September 2007. We wish him success in his upcoming work with the World Food Programme and in all his future endeavours. I now give the floor to Mr. De Mistura.

Mr. De Mistura: You are quite right, Mr. President. It is an emotional moment for me, so please forgive me if I say a few more words than I would normally, in view of the fact that it is my last opportunity to address the Security Council in my current capacity as the Special Representative of the Secretary-General for Iraq.

Eighteen months after starting my fourth assignment in Iraq and my sixteenth United Nations mission in the field, I am departing, somewhat proud of what that Mission has achieved in a short period of time and of our joint success with the Iraqis in overcoming what sometimes have appeared to be difficult challenges. Together we have helped to turn the page on how the Iraqis view the United Nations and the international community. Together, we have contributed to the evolution of Iraq, which can soon assume a new standing among the world community as an increasingly stable and sovereign nation.

Every so often the United Nations is given, if lucky, the chance and the right mandate, political support and resources to deliver. Every so often the timing, the team, the mission objective and the drive come together to make it work. I, for one, feel privileged to have been associated with the United Nations Assistance Mission for Iraq (UNAMI) during two of its most critical and formative years and to have seen remarkable and unforeseen shifts in the political and humanitarian landscape in Iraq.

Three dynamics have shaped the course of our action in Iraq during that period. First, I called for an expanded mandate with a stronger new resolution, which came from the members the Security Council.

Secondly, I called for an expanded presence, and it has been provided with the help of the Iraqi authorities and all Security Council members.

Thirdly, I called for a new approach, with a reinforced team as well as a clear directive from the Secretary-General to be proactive and results-oriented. That was the first message the Secretary-General gave me when I took up my assignment. The result is that we have been proactive in Iraq, particularly in view of the situation. Our approach has been matched by an Iraqi Government and a Prime Minister open to increased United Nations engagement, in consultation with the Iraqi authorities, and an international community that is changing its outlook towards Iraq and even letting the Organization assume, at some moments and in some areas, a centre-stage role.

More than ever before, the international community has been working towards common objectives in Iraq. That has made our lives and our work much easier. Resolution 1770 (2007) set parameters broad enough to give us considerable scope. One of the lessons we learned is that we need a very strong, broad resolution. The Secretary-General set the tone, giving us enough flexibility to act on the ground; the international community and the members Security Council in particular provided the support for an enlarged United Nations role; and the Iraqis set the agenda.

In seeking to combine strategic thinking and operational solutions, we chose, with the Council's blessing, time-sensitive entry points in areas that were gaining momentum. We could not do everything at the same time, in spite of the broad scope given us by the Security Council. We chose those areas in which the United Nations could make a difference, and not just a point, and be allowed to act as an honest broker whenever possible. We sought to be selective and

incremental in identifying quick wins to build our credibility, on behalf of the international community, by trying to demonstrate that we can deliver and by proving that we can be creative and reliable in the use of our main asset — international legitimacy.

UNAMI's strategic priorities were determined, first, by the need for immediate reaction to emergency situations, such as returnees and internally displaced persons (IDPs); and secondly, by anticipation of impending deadlines that, if not met, could potentially cause friction. A classic example was the referendum over Kirkuk and the debate of the timeliness of holding provincial elections. Our priorities also arose from the International Compact with Iraq, which has been led very actively and effectively by Ambassador Gambari, and from the regional dialogue, human rights and constitutional support issues.

Together, I believe, we have often turned challenges and crises into opportunities, thanks to the energy and stamina of the Iraqis. In an unusual combination for any integrated mission in such an operationally challenging environment, UNAMI has at the same time been acting in emergency mode, with its political arm working mainly on conflict prevention — on the Arab-Kurdish file, for instance — while the rest of the Mission was already working an post-conflict issues and peacebuilding.

The past two years have seen the Iraqis progressively fatigued by civil strife, slowly shedding sectarian divisions, seeking to reconcile after the horrible and terrible fallout from Samarra, bringing their differences into the legislative arena, and turning up in the polls to declare their preference for the country's return to normality. The Government and the Prime Minister have increasingly exercised their sovereignty, administering a State that enjoys broad support, as shown in the recent provincial elections. The Iraqi State is consistently building credible and independent institutions. The cabinet is functioning, Parliament is becoming increasingly reliable with a very active new Speaker, the Independent High Electoral Commission has gained experience in several elections and will conduct others in the future, and the Iraqi Security Forces are increasingly capable.

I need not remind the Permanent Representative of Iraq, who is an example to us all, that the Iraqi people have shown remarkable resilience. Iraqis are now more than ever able to determine the course of events in their own country, in spite of spikes of violent attacks against innocent civilians, which have recently been on the rise. These should be viewed as attempts by isolated elements or groups to produce a feeling of insecurity, but in my modest opinion they are not capable of destabilizing the country.

Now more than ever, Iraqis should be helped to focus on forging a political consensus. They are agreed that they should keep political dialogue open. The United Nations initiatives will continue to assist Iraq in securing those political advances and making sustainable security and socio-economic gains.

Our first initiative arose in the context of subsiding sectarian violence, when UNAMI acted promptly to prevent a new conflict between Arabs and Kurds, as will be recalled, and to contribute to national reconciliation by placing the highly controversial issue of a referendum in Kirkuk in the framework of a political process rather than as a hostile referendum. We proposed technical assistance in setting up the process, and a potential crisis over the impending expiration of the constitutional article was averted. But tensions have continued to exist between the two sides.

That is why UNAMI has kept the door of dialogue open and indicated possible options. It is indeed encouraging that the parties have now agreed to come to the table to commence discussions on a future process based on the elements provided by UNAMI's analyses of the disputed areas, set out in a 502-page document. A high-level task force, which was established as a follow-up and brought together Government and Kurdistan regional representatives, has been launched under United Nations auspices. I am glad to report that it met on 10 and 16 June. The time is ripe, and these beginnings of a high-level dialogue represent a critical step in the right direction. I believe that UNAMI will continue to contribute to that end.

As to the second initiative, 2009 has been a defining period as Iraq looks to possible future electoral events, a census and a series of referendums. Elections have been the flagship programme of the Mission. With the provincial elections in January 2009 — notable for their remarkable absence of violence and the credibility of the process — UNAMI has worked with Iraqis to produce four major electoral events since 2005, and will continue to do so in the upcoming elections.

The United Nations will continue to provide support for capacity-building in these areas. We shall

remain diligent in not forcing premature or ill-prepared events. There are three basic requirements for referendums and elections: appropriate and complete legal framework, sufficient funding, and an operational election commission with the capacity to conduct the event.

The third initiative was launched when the United Nations stood poised early to assist with the voluntary returns of refugees and IDPs, which remains a major priority for us. The exact number of internally displaced Iraqis is still not fully determined. Much is also speculated about returns ahead of parliamentary elections. To date, 70 per cent of all returns have come not from abroad, but from within the same governorate or from within Iraq. The hoped-for return of displaced populations will depend largely on improved quality of life, security and opportunities in Iraq. Security is only one of the many drivers of return in Iraq.

IDPs and refugees are mostly a political rather than a purely humanitarian challenge. As such, the problem cannot be solved by large-scale humanitarian funding directed purely to IDPs and refugees. Iraq is not in a humanitarian crisis, but has pockets of dire humanitarian need and displacement, which does not necessarily or automatically equate with vulnerability. There are many other vulnerable people in Iraq; that is why economic support is important. Funding for the displaced should therefore be packaged within broader programmes to revitalize jobs and services in conflict-affected communities. The United Nations, and in particular the Office of the United Nations High Commissioner for Refugees, will work to ensure that conditions are in place for voluntary, dignified and sustainable returns, but should also make special efforts on displacement-specific issues such as housing and related legal protections.

As to regional and international partnerships, in the context of its partnership and engagement with the international community Iraq would like to shed what it considers to be externally imposed obligations related to its future. A new approach is required in the regional environment.

While the ad hoc mechanism did not gain sufficient momentum, it had its own purpose for a period. After a while, however, it seems not to have gained enough momentum. We have witnessed constructive engagement and consistent improvement in bilateral relations with some of Iraq's neighbours, and that occurred in the context of the regional environment. A major shift has taken place in a very constructive way in the strategic partnership between Turkey, for instance, and Iraq, and other recent examples we see include Syria's resuming diplomatic relations and nominating an ambassador, as many others have done. Jordan has found new common ground on refugees and Iran has been indicating to us that it is ready to discuss cross-border issues with Iraq, including de-mining.

Additional facilitation is needed, however, to further increase understanding and trust between Iraq and its neighbours. I particularly wish to single out Iraq's relations with Kuwait. I firmly believe we are at a critical juncture, in this moment, to be able to contribute to a significant improvement of the climate of cooperation, taking into account the concerns of both countries. With respect to outstanding Chapter VII mandates, the Iraqi Government feels rightly that the time to turn the page is long overdue. Kuwait, for its part, also has rightful claims regarding its sovereignty and territorial integrity. The Iraqi Government has shown positive signs of increasing cooperation by inviting, for instance, just in the past few days, a Kuwaiti delegation to Iraq to pursue the issue of missing Kuwaitis and by speeding up the deployment of an Iraqi ambassador to Kuwait. We, for our part, as UNAMI and as the Security Council, should now exert every effort in building on the current momentum. There are various creative options being floated that I hope will be discussed and elaborated upon by the Security Council in the near future in this regard.

What is next? The priorities are self-evident: delivery of basic services; dialogue between the Kurdistan Regional Government and the Government of Iraq, leading to a defusing of tensions in Kirkuk and other disputed areas; preparation for the next elections; pre-positioning to assist refugees and internally displaced persons, should they decide to return; the reintroduction of certain elements into the economy — for instance, helping the Awakening Councils, or Al-Sahwa Councils, to reintegrate themselves more totally into the economy; technical assistance to ensure that a census is conducted in compliance with international standards; tackling unemployment by revitalizing the private sector; providing expertise in ensuring the passage of a long-overdue hydrocarbon law as an essential step to increasing oil production

and revenue; and helping Iraq to rebuild its agriculture and diversify its heavily oil-dependent budget.

The key word, from the Iraqi point of view and from the United Nations point of view, is capacity-building. Iraq is rich in resources, in people and in water. They need and they are asking for capacity-building. Iraq, despite the fall of oil prices, is rich in human resources and natural wealth. The Iraqi people seek decent schools, hospitals and jobs, safe water and reliable electricity. Provincial elections were run and won on this platform, and this is likely again to be a driving factor in future elections. We need to help the Iraqi Government through capacity-building.

I am confident that, in its own national development strategy, Iraq will lay out a clear and inclusive vision for socio-economic revival. This step is urgent, not just to tackle recent suffering but also to undo the damage of nearly three decades of conflict and sanctions.

Capacity-building is also critical in the area of human rights and the rule of law. While reporting human rights violations is important, and we will continue to do so, the United Nations could contribute more and plans to do more by developing new mechanisms for human rights protection and supporting those already in place. We stand ready, for instance, to offer support to the establishment of a human rights commission. At the same time, we plan to provide more technical assistance projects aimed at monitoring prisons, courts and detention centres.

As we move into this next phase, international coordination will still be very important. I want therefore to take this opportunity to thank sincerely all the donors around this table and elsewhere who have contributed to the International Reconstruction Fund Facility for Iraq, which closes its own contributions in one month.

UNAMI has, in Iraq, a team deeply dedicated to achieving a more present, visible and mobile United Nations, working alongside Iraq's Government. What we have achieved, we have achieved as a team, thanks to the support of the Secretary-General, the Iraqi Government and members of the Security Council. Here, allow me to thank my team in Iraq for their personal sacrifices, drive, resolve, integrity and exemplary commitment to work united under strenuous circumstances. They are united, a whole country team, with no separations, no differences and no competition. I thank in particular my two excellent deputies.

My personal respect goes out to our national staff, the Iraqi United Nations colleagues, who have seen many authorities come and go, have been the backbone of our presence over the years and have worked tirelessly to restore and rebuild Iraqi communities. At the same time, we constantly had the feeling that the international community in Iraq was not only behind us, but, as members have been proving and showing all the time, beside us in fact each step of the way, speaking in one voice and taking a united approach to the Iraqis' needs. That has been one of the strengths of the Mission.

I believe that we as a mission managed to build our credibility on, first, our presence. We now have many United Nations agencies, including the Office of the United Nations High Commissioner for Refugees, UNICEF, the World Health Organization, UN-Habitat, the United Nations Office for Project Services, UNDP and the World Food Programme, present in Baghdad.

Secondly, our credibility is built on our access, our ability to talk to all sides, reach out to every community throughout Iraq and nurture relationships at the highest level of spiritual and political leadership.

Thirdly, we have our legitimacy, thanks to the Security Council. We have facilitated solutions that require mutual concessions by offering both credibility and international legitimacy.

Fourthly, we have our expertise, what expertise we have and when we can offer it, building up the capabilities of national institutions.

In conclusion, the future looks moderately bright, and there is growing hope for Iraq in the world and inside Iraq. If the Iraqis can avoid or defuse tensions — and they are doing so — and if they are capable of seeing changes in their daily lives through sustainable security gains, which are taking place, through the delivery of basic services and through more political inclusiveness — and we see movement in that direction — all of these being realistic goals, then Iraq will flourish.

This afternoon, a movie will be shown here in this building, a film dedicated to a friend and colleague of mine, Sergio Vieira de Mello. My colleagues in Iraq and myself feel that the presentation of this report coinciding with the fact that we will see this movie

today has a special relevance to us. I must say frankly that, when, a year or maybe more ago, in the middle of blistering heat, sandstorms, 20 rockets a day and, oftentimes, a lack of movement in the environment, we would ask ourselves "what on earth are we doing here?" What helped us to keep going and move forward was exactly that: seeing the resilience of our Iraqi friends going forward. We wanted to prove that all those who died in Iraq, for Iraq, including Sergio, the many others from many other countries and many Iraqis, did not die in vain.

The President: I thank Mr. De Mistura for his briefing. I now give the floor to the representative of Iraq.

Mr. Al Bayati (Iraq): Allow me at the outset to congratulate you, Mr. President, on your assumption of the presidency of the Security Council this month and thank you for coming back to New York to join us at this meeting. I would like to also present our thanks to your predecessor, His Excellency the Permanent Representative of Russia, for his distinguished efforts during his presidency in the month of May. Our high appreciation also goes to Mr. Staffan de Mistura, whom we are going to miss, as the Special Representative of the Secretary-General in Iraq, and the United Nations Assistance Mission for Iraq (UNAMI) team in Iraq and New York for their tireless work in assisting the Government and people of Iraq.

Having reviewed the reports of the Secretary-General on UNAMI's work in Iraq contained in documents S/2009/102 and S/2009/284, my delegation would like to make the following comments.

With regard to the political and security sectors, following the great success achieved by the Iraqi people in the provincial elections held on 31 January 2009, the political forces that gained the majority of seats in those elections have formed provincial councils in 14 of the provinces that held elections. That is an accomplishment that the Government of my country considers to be an important step within the framework of the plan to provide those councils with increased responsibilities and the power to play an important role in supporting the federal Government in the reconstruction of Iraq.

National reconciliation remains a top priority for my Government. In that context, last March, more than 4 million Iraqis visited the Holy Shrines in the city of Samarra, in an atmosphere characterized by a spirit of brotherhood and tolerance. There were no breaches of security during that event, which marked a day of national unity among Iraqis from different ethnic and sectarian groups, who overcame the painful past that had resulted from the bombing of the Holy Shrine in Samarra on 22 February 2006 and the subsequent acts of sectarian violence. The reconstruction of the Shrine symbolizes the process of rebuilding the national fabric of all components of Iraqi society.

Iraq today is a democratic State that respects freedoms and is governed by a Constitution. The principle of the peaceful rotation of power forms the basis of an open and transparent political process. All Iraqi political forces operate within that process and work through constructive dialogue to reach all important decisions, including on the key issues of building a federal system, legislation on the distribution of natural resources, constitutional amendments and internally disputed borders. That will lead to the reaching of a political settlement to resolve most outstanding issues in order to preserve the gains achieved within the framework of the political process.

The Iraqi people, driven by a belief in their mission to build a free and democratic Iraq, are building a democracy through mechanisms based on ballot boxes and not bullets. The Kurdistan region will hold council elections this July, while the central Government is preparing for the parliamentary elections to be held on 16 January 2010 to reinforce the political process and build State institutions.

The security situation in Iraq continues to improve, despite some security violations. Official statistics indicate that in the period between March and May 2009 there was a 76 per cent decline in the number of acts of violence as compared to the same period in 2008. That improvement attests to the development of the capability of Iraqi security forces and to the significant decline in the capabilities of terrorist groups. The latest figures indicate that Iraqi security forces have been able to dismantle and destroy 90 per cent of those groups. On 23 April 2009, the so-called Emir of the Islamic State of Iraq, Abu Omar Al-Baghdadi, was arrested.

The Iraqi Government, in cooperation with the United States Government, continues to take necessary measures to take over security responsibilities from American troops, in accordance with the security agreement signed between the two countries. Iraq is

already responsible for 90 of the 138 military sites. By the end of June 2009, the Iraqi Ministries of Defence and the Interior will be responsible for an additional 48 military sites.

The process of building Iraqi defence capabilities to fill the security vacuum created following the withdrawal of friendly forces continues successfully. It should be noted that Iraqi security forces have taken over security responsibilities for the province of Salahadin, which was the home province of former dictator Saddam Hussein.

The Council of Ministers has approved the agreement that was signed between Iraq and the United Kingdom to protect Iraqi oil platforms and provide training and support to Iraqi naval forces. We would like to thank friendly countries that are participating in the multinational forces and have, for the past six years, helped Iraq to maintain security and stability.

An essential element of the political process is to guarantee the Iraqi people's full enjoyment of their fundamental rights, as stipulated in the Iraqi Constitution. To that end, the Iraqi Parliament has decided to establish an Independent High Commission for Human Rights to monitor the human rights situation in Iraq and assist the Ministry of Human Rights to perform its core functions. The Iraqi Government also continues to modernize the Iraqi judicial system in order to harmonize it with the requirements of the new democratic order in Iraq.

The improved security situation in Iraq and the Government's systematic plan for the return of displaced Iraqis abroad has contributed to an increase in the number of Iraqis who have returned to the country. For example, recent statistics indicate a decrease in the number of Iraqis registered with the Office of the High Commissioner for Refugees in Syria, from 224,000 to 207,669. The Iraqi Government is launching a new programme to ensure the voluntary return of displaced Iraqis in Jordan and Egypt. It is also distributing 220 million Iraqi dinars to displaced Christian families in Hamdania as a form of temporary assistance until they can return to their home areas.

The Presidential Council ratified the International Convention for the Protection of All Persons from Enforced Disappearance on 14 May 2009. On 11 May 2009, it also decided on Iraq's accession to the United Nations Convention to Combat Desertification. Lastly, on 19 March 2009, it passed legislation on compensation for people who have lost body parts owing to the criminal practices of the former regime.

In the social and economic sectors, the Iraqi Government is convinced of the importance of foreign investment in Iraq in helping to rebuild an open economic system. In that connection, under the direct sponsorship of the Prime Minister, the Government held a conference in London, England, on the theme "Invest in Iraq — 2009", in order to encourage foreign investment in the country. The conference was attended by about 400 investors and representatives of governmental bodies and private companies. The Government presented an investment plan consisting of about 500 strategic projects worth approximately $500 billion. Also at the conference, some 300 companies announced their intention to invest in Iraq. A similar conference will be held in Washington this October. Japan will also hold a conference in Baghdad on the subject of reconstruction in Iraq.

As part of the ongoing efforts by the Iraqi Government to rebuild Iraq, the Iraqi Council of Ministers approved a comprehensive plan to reconstruct service sectors and infrastructure. The estimated budgetary cost of that plan is about $65 billion. Under the plan, 38 per cent of the budget will be allocated to the housing sector, 27 per cent to the agricultural sector, 14.2 per cent to the transportation sector, 8.4 per cent to the water and sanitation sector, 8.5 per cent to the education sector, 5.7 per cent to the health sector and 0.9 per cent to the communications sector.

Within the framework of the joint efforts between Iraq and the international community, the Baghdad Coordination Group for the International Compact with Iraq held a meeting in Baghdad on 26 May, which included the participation of the Under-Secretary-General and Special Adviser on the Iraq Compact, Mr. Ibrahim Gambari, to discuss the latest developments and prepare for the next conference of the International Compact, which will hopefully take place in Baghdad later this year.

As a part of the Iraqi Government's efforts to resolve the ongoing issue of external debt, the Government recently reached an agreement to settle its debts with Tunisia and Greece, which amount to $186 million and $259 million, respectively. The Government has also settled its debt to trade creditors, which amounted to $470 million. In that regard, my Government has renewed its invitation to Arab countries to cancel the debt owed by Iraq and to settle

the debt issue as several sisterly and friendly countries have done based on relevant Security Council resolutions to assist Iraq, including paragraph 1 of Security Council resolution 1483 (2003).

As a part of the Iraqi Government's efforts to support the most vulnerable social elements in Iraq, a conference on the orphans of Iraq was held on 15 April 2009 to launch a project for capacity-building, rehabilitation and coordination among organizations working with orphans in Iraq. The Iraqi Government and the World Health Organization have organized a working group on the role of the media in responding to the swine flu (H1N1) pandemic. A budget of approximately $30 million has been allocated to prevent the spread of the pandemic.

The Prime Minister has launched an initiative to protect the Iraqi heritage and antiquities and in this regard, the Ministry of Tourism and Antiquities has recovered a large number of stolen antiquities.

On the regional and international levels and within the framework of regional and international openness, there have recently been several high-level visits to Iraq, which included His Highness Sheikh Mohammad Al-Sabah Al-Salem Al-Sabah, Deputy Prime Minister and Foreign Minister of Kuwait, on 26 February 2009; His Excellency Mr. David Miliband, British Foreign Secretary, on 26 February 2009; His Excellency Mr. Amre Moussa, Secretary General of the League of Arab States, on 21 March 2009; His Excellency Mr. Abdullah Gül, President of Turkey, on 23 March 2009; His Excellency Mr. Mohammad Naji Otri, Syrian Prime Minister, on 21 April 2009; Mrs. Hillary Clinton, United States Secretary of State, on 25 April 2009; Mr. Ali Afsn, Adviser of the President of Azerbaijan, on 20 May 2009; Mr. Murad Oozglic, Turkish Special Envoy to Iraq on 25 May 2009; Mr. Ibrahim Gambari, Under-Secretary-General and Special Adviser to the Secretary-General on the International Compact with Iraq, on 25 May 2009; and His Excellency Mr. Karel De Gucht, Belgian Deputy Prime Minister and Minister for Foreign Affairs, on 27 May 2009.

In return, the Iraqi President Mr. Jalal Talabani visited Ankara on 7 March 2009 and Tehran on 27 March 2009. The Prime Minister Mr. Nouri al-Maliki visited Moscow on 8 April 2009 to meet with his counterpart, His Excellency Mr. Vladimir Putin, and the United Kingdom on 29 April 2009 to meet with His Excellency Mr. Gordon Brown, British Prime Minister, and France on 5 May 2009 to meet with His Excellency Mr. Nicolas Sarkozy, President of France and His Excellency Mr. François Fillon, Prime Minister of France.

The exchanges of visits led to the signing of several agreements on bilateral cooperation between Iraq and friendly countries, including a comprehensive economic and security agreement with Syria, a joint declaration of friendship and cooperation between Iraq and the United Kingdom, a Convention on Economic and Technical Cooperation between Iraq and the United Kingdom and a visit by a Deputy Prime Minister Mr. Rafi Al-Issani to New York, where he met United States and United Nations officials to talk about a friendly relationship, economic and trade relations and reviewed Security Council resolutions at the United Nations.

In a recent development, Egypt has nominated His Excellency Ambassador Sherif Kamal Shahin as Extraordinary Ambassador to Iraq in Baghdad. The Iraqi Government's efforts to build bridges with friendly countries stems from the sincere wish of the Government and people of Iraq to establish relations with all nations of the world in order to build communication and contribute to the return of Iraq to its natural place in the international community.

The Iraqi Government has begun consultations with the Secretary-General to review Security Council resolutions on Iraq pursuant to Security Council resolution 1859 (2008). Based on our review of those resolutions, we have determined that Iraq has fulfilled all its obligations under those resolutions, with regard to both the impact of the occupation of Kuwait and issues related to arms.

I would like to point out a number of obligations that Iraq has fulfilled with regard to Security Council resolutions on the situation between Iraq and Kuwait. Iraq has recognized the State of Kuwait and its borders in accordance with the relevant Security Council resolutions and both States continue to cooperate in the maintenance of border markers. Iraq has returned the remains of 236 missing Kuwaitis found in Iraq. Since 2003, Iraq has handed over to Kuwait numerous items belonging to that country and most recently the Kuwaiti authorities have received 4,539 audio and video tapes belonging to the Kuwaiti Ministry of Information. Next week, the Iraqi Government will hand over to the Kuwaiti authorities 24 boxes

containing old currency and stamps. As of April 2009, Iraq has paid $27.1 billion of the total compensation due for the invasion of Kuwait. However, $25.5 billon remains due and that is a heavy burden on Iraq, which needs the money for services, reconstruction and development.

As for the area of disarmament, Security Council resolution 1762 (2007), which ended the mandate of United Nations Monitoring, Verification and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), stated that Iraq had fulfilled all its commitments with regard to disarmament. Moreover, the letter of the United States and the United Kingdom annexed to that resolution and addressed to the President of the Security Council, dated 22 and 27 June 2007, indicated the complete destruction of Iraq's special programmes to produce weapons of mass destruction.

We hope that the Secretary-General and the Security Council will assist Iraq in returning to the international status it held before the invasion of Kuwait in 1990; an invasion which was one of the most atrocious crimes committed by Saddam Hussein and for which the Iraqi people continue to pay a heavy price.

In conclusion, I would like to stress my Government's gratitude for UNAMI's role in Iraq and for Mr. Staffan de Mistura's support offered at the Government's request and based on mutually agreed mechanisms. With the imminent completion of his responsibilities in Iraq, I wish him all success in his future endeavours, both personal and professional.

The President: I now give the floor to those members of the Council who wish to make a statement.

Mr. Ripert (France) (*spoke in French*): First of all I would like to welcome the President and to thank him for his presence and for chairing the meeting today. I also thank Mr. De Mistura, Special Representative of the Secretary-General and a very old friend, for his briefing to the Council. I take the opportunity to welcome his courageous and effective action with his entire team and his commitment to implement the mandate given to him by the Security Council. I thank him for — as he stated — contributing to giving hope to the population of Iraq. At every step of the way he has been a worthy successor of Sergio Vieira de Mello and I thank Mr. De Mistura for mentioning his name today. We think of him, as we think of all of those who lost their lives with him in Baghdad. Finally and on a more personal note, I can only say how much I and the Council wish him great success in his next mission in the city he loves. The international community still needs him, and the Council still needs him. For all that he has done, I give him my personal thanks.

The briefing of the Special Representative of the Secretary-General was very complete. We support its analyses and share its conclusions. I will raise only three points. Today, the United Nations Assistance Mission for Iraq (UNAMI) plays an essential role in several areas: first in the area of elections, it has acted effectively in supporting the Independent High Electoral Commission to ensure the smooth operation of elections, which is the best sign of democratic life in Iraq. After the successful holding of the governorate council elections on 31 January last, we support the actions of the mission to organize the parliamentary and regional elections in Kurdistan on 25 July and the elections for the Council of Representatives planned for January 2010. Under its mandate and the recommendations made by the Secretary-General, the Mission must also continue to provide its expertise to the Iraqi Government so as to make progress on the question of disputed internal borders, especially in the Kirkuk area. We welcome the analytical reports given to Iraqi federal authorities and to the regional Kurdistan Government in order to promote an agreement among the political actors within Iraq on this critical issue. It is a difficult problem, but it must be resolved. We call on all Iraqis involved to display courage in working toward a solution acceptable to all.

My second point, Mr. President, is to emphasize that in the last few months in Iraq we have seen substantial progress in establishing a safe, stable, democratic, unified and prosperous country, where human rights and the rule of law are increasingly respected. France congratulates the Government of Iraq on its efforts in this area, efforts that the Permanent Representative of Iraq has just confirmed. We thank the Permanent Representative for his contribution, which emphasizes his readiness to work toward the stability and prosperity of his country. Regardless, from now on, as was emphasized by the Special Representative, we must take advantage of this momentum in order to achieve new progress in improving both the living conditions of the people of Iraq and the national reconciliation process. Besides the question of Kirkuk,

this will require the completion of the constitutional review process, as well as tangible improvement in everyday life.

My third and final point, Mr. President, beyond the primary responsibility of the Government of Iraq and the important role played by the Mission, is that we believe that neighbouring States must participate fully in this effort. So it is in this spirit that we support the action of the Mission to strengthen a regional dialogue. We would hope especially that the regional dialogue conducted by Iraq with its neighbours will allow it to tackle essential issues such as border control and the conditions for voluntary, safe and dignified return for refugees, for which the progress alluded to just now by the Special Representative is an encouraging first sign. It is in the interest of States in the region to get involved in making Iraq permanently stable. That is why we wish to welcome the Minister today to the Security Council. The fact that he is chairing this debate and the agreement that he has managed to reach the presidential statement of the Council is a sign of the positive and constructive role that can be played by a country as important as Turkey. I will conclude by emphasizing how important it is that the current positive cycle be able to allow Iraq to fully recover its sovereignty. Here we would note resolution 1859 (2008), in which we asked the Secretary-General to prepare a report in consultation with Iraq on the action necessary to allow them international status equal to what they had before resolution 661 (1990). We await this report and are ready to act on that basis and in the framework of Iraq's international obligations, in particular resolutions 773 (1992) and 833 (1993) on the question of the borders with Kuwait, together with all States concerned. And, as was indicated by President Sarkozy in Baghdad last February, Iraq can count on the friendship of France to work with it on Iraq's full reintegration into the international community.

Mr. Parham (United Kingdom): It is an honour to have you chairing this meeting today, Mr. President, and we also welcome the Secretary-General's Special Representative, Mr. Staffan de Mistura, to the Council. I would like to express our thanks to the Secretary-General for his comprehensive report on developments in Iraq over the reporting period and underline our strong support for the vital role of the United Nations Assistance Mission for Iraq (UNAMI) in helping Iraq's development as a democratic, inclusive and stable State. In particular, I would like to pay tribute to Mr. De Mistura in what will be his final appearance before the Security Council in his role as the Secretary-General's Special Representative for Iraq. He will be greatly missed. His leadership and dedicated hard work have been central to achieving the progress we have seen in Iraq over the past 18 months. He's done an excellent job, and the depth of his commitment was inspiringly clear in his very moving final remarks just now. I wish him well in his next posting. In order to maintain this positive momentum that he has created, it's going to be imperative to ensure a smooth and timely handover to his successor.

Mr. President, the Secretary-General's report illustrates that, despite the security challenges, Iraq continues to make good progress. We welcome the election of a new Speaker of Parliament. This will now enable the Council of Representatives to push forward with discussion of key legislation vital to the future stability of the country. We also welcome the formulation of new provincial councils, which follows the successful provincial elections in January of this year. They have an important role to play in delivering the essential services critical to improving the lives of the Iraqis who voted for them. And we look forward to the upcoming parliamentary elections in the Kurdistan region next month and the national elections that will take place early next year. We urge the Government of Iraq to ensure that the Independent High Electoral Commission has sufficient funding to facilitate successful national elections. As a further sign of support, the European Union has again offered to send independent election observers to both of those elections.

On the issue of human rights, we acknowledge the good progress that Iraq has made, but agree with the Secretary-General's report that more remains to be done. We strongly urge the Government of Iraq to ensure that the Independent High Commission for Human Rights receives adequate funding in the forthcoming supplementary budget. Mr. President, we agree with the Secretary-General that fostering dialogue between all parties on national reconciliation remains a key priority for Iraq, and welcome the positive role played by UNAMI in this area. We encourage all parties to work together in the spirit of compromise, to make further progress on federalism, resolving disputed internal boundaries and sharing natural resources. The international community has

made clear that it stands ready to offer its full support for this process, including by facilitating talks between the parties. Recent political tensions in Mosul and Diyala are a cause for concern. We hope the talks will soon begin to reduce these.

We'd also like to express our deepest sympathies to the Iraqi Parliament and the Iraqi people following the murder last week of Member of Parliament Hareth Al-Ubaidi. This was a cowardly act and should not be allowed to disrupt the political process in which Iraq's leaders are engaged. We're confident the Iraqi people will continue along the path of democracy and dialogue in order to overcome violence and sectarianism.

Mr. President, we welcome Mr. De Mistura's efforts to improve regional dialogue and cooperation between Iraq and her neighbours. This is a key requirement for the development of lasting regional peace and security. We agree with the Secretary-General's report that the International Compact for Iraq would benefit from a more streamlined approach, focused on key socio-economic priorities. To this end, we encourage greater coordination between the International Compact and international donors such as the World Bank and the European Union, to ensure that all assistance provided is complementary and well targeted. We look forward to the Secretary-General's report on Security Council resolutions relating to Iraq.

Mr. President, I'd like to close with a few words about the future direction of the United Kingdom's relationship with Iraq. This week, our Prime Minister reiterated once again to our Parliament that the core of the new relationship we're building with the Iraqi people will be based on diplomatic trading and cultural links. And Ambassador Al Bayati mentioned just now the joint declaration and convention we concluded recently with Iraq to that effect. We'll continue to play a supportive role in the reconstruction of Iraq. As a further sign of the normalization in Iraq, and improved security, United Kingdom combat troops have begun to draw down. This process will be completed on schedule by the end of July. Meanwhile, we stand ready to help build the capacity of the Iraqi armed forces, and, as Ambassador Al Bayati mentioned, his Council of Ministers has approved an agreement for the United Kingdom to help with the protection of Iraqi oil platforms and provision of training and support to Iraqi naval forces.

The United Kingdom believes a secure, prosperous and democratic Iraq, at peace with its neighbours and taking its rightful place in the international community, remains extremely important to the strategic and domestic interests of many countries, in the Middle East and beyond.

Ms. Rice (United States of America): We are honoured by the Minister's presence here today at this important debate.

I want to begin by joining my colleagues in thanking you, Mr. Special Representative, for your extraordinary leadership. I know how deeply my Government, up to and including President Obama, has been grateful for your service, your enormous contributions, your personal sacrifice and your success in this important endeavour. You will be missed. I just wish to underscore how deep our gratitude truly is. I also want to thank you for reminding us of the enormous contributions and sacrifices that so many have made on behalf of the United Nations, as well as many other countries, foremost the people of Iraq, towards the achievement of a sovereign, democratic and stable Iraq. Your mention of Sergio today is moving and timely, and we thank you again for that.

I also wish to thank the Secretary-General for his report and all the men and women of the United Nations Assistance Mission for Iraq (UNAMI) for their tireless work to support a more peaceful and prosperous Iraq.

Rooted in our shared strategic interests with the Government of Iraq, heartened by the heroic service of thousands of brave Americans and many others, and mindful of the future of millions of Iraqis, the United States remains deeply committed to Iraq. As this Council knows, the United States plans, in accordance with the United States-Iraq security agreement, to withdraw its combat troops from Iraq's cities, towns and villages no later than the end of this month. That in turn will pave the way for the withdrawal of all United States forces by the end of 2011. Our drawdown and withdrawal, however, in no way diminish our long-term partnership with Iraq. During this transition period, the United States will continue our firm support for the Iraqi people as they assume full responsibility for their sovereign nation. We will continue to build a strong, lasting, strategic relationship with Iraq, one that respects the sovereignty and serves the interests of both our countries.

As a friend and as a strategic partner, we will work with Iraq's Government to strengthen democratic institutions, uphold the rule of law and develop peaceful and cooperative relations with its neighbours. We will also continue to encourage the international community to deepen its engagement with the Government of Iraq to further secure and build upon Iraq's political, economic and security gains.

The United States would like to acknowledge the vitally important work that the United Nations is doing in Iraq. Under the leadership of Special Representative De Mistura and at the invitation of the Iraqi Government, UNAMI continues to expand the United Nations presence and capacity throughout Iraq. From helping to address disputed internal boundaries to helping hold free and fair elections, from pursuing national reconciliation to easing the suffering of refugees and the displaced, UNAMI continues to play a critical role in promoting the long-term peace, security and prosperity of Iraq.

In the days and months ahead, UNAMI's work will be critically important. Allow me to highlight just three areas where its efforts will matter most.

In January, Iraqis chose new provincial councils in 14 of Iraq's 18 provinces. That vote was marked by a heartening and diverse voter turnout and a significantly improved security climate. Based on that success, UNAMI will once again provide technical assistance and advice to Iraq's Independent High Electoral Commission as it prepares for two upcoming votes: the Kurdistan regional government elections in July, and the Iraqi parliamentary elections in January 2010.

Secondly, UNAMI will also continue to play a crucial role in supporting efforts to address Iraq's disputed internal boundaries. By promoting constructive dialogue about a mutually acceptable solution, UNAMI is helping to provide a key requirement for lasting stability in Iraq, and we call upon all relevant parties to advance this process in earnest.

Thirdly, UNAMI will provide valuable support to the Iraqi Government as it facilitates the safe, voluntary and orderly return of displaced Iraqis. Here, too, UNAMI's work is critically important. The sustainable and voluntary reintegration into Iraqi life of refugees and internally displaced persons is essential for the country's long-term stability. To support and sustain the return of those uprooted by war and chaos, UNAMI is working with the Iraqi Government to provide them with security and access to housing, jobs and basic services. We welcome additional efforts on this issue by the Government of Iraq.

All of us here can be proud of UNAMI's outstanding record of accomplishment. We deeply appreciate its work and look forward to its continued success.

The United States firmly supports Iraq's continuing development as a sovereign and democratic nation, a country in which all of its diverse and vibrant communities can participate freely in political, social and economic life and in which human rights are protected, a country that contributes to the peace and security of the region, a country that is sovereign, stable and self-reliant.

To build on the progress we have made, regional and international support for Iraq is essential. We encourage all countries to help Iraq meet its goals and to support the Iraqi people as they pursue prosperity and peace. The United States unequivocally encourages UNAMI's work and its expanded footprint in Iraq. My Government stands ready to continue to assist UNAMI as necessary, and we encourage all countries to do the same.

Finally, the United States fully supports the presidential statement circulated by the Turkish presidency. It is an important signal of support for UNAMI and for the people of Iraq.

Mr. Urbina (Costa Rica) (*spoke in Spanish*): I wish to begin by hailing your presence with us here today, Mr. President. We thank you for having travelled, for a second time this month, to participate in our work. I wish to thank Ambassador De Mistura in particular for his work throughout all this time, and for the work of his colleagues, who together have contributed to the well-being of the people of Iraq. I thank him for presenting the report of the Secretary-General (S/2009/284). I greet Ambassador Al Bayati warmly and thank him for his valuable briefing.

As Ambassador De Mistura has indicated, there has been significant progress in Iraq in recent months in different areas. In particular, we are happy to hear that the Government of Iraq has strengthened the electoral processes, based on the experience garnered. We hope the upcoming elections in Kurdistan and the parliamentary elections will be inclusive and

transparent and will include the active participation of women. These electoral processes are valuable opportunities, as the Secretary-General said, to strengthen local governing and to legitimize the authority of the State throughout the entirety of Iraqi territory.

Costa Rica wishes to urge the political leaders of Iraq to continue their work to promote progress for all their population by way of equitable mechanisms. We call on them to ensure that all of the fruit of Iraq's enormous wealth is distributed among the population.

Along these lines, we urge the United Nations team in Iraq, as well as the international donors, to continue to work closely with the Iraqi authorities in the creation of a normative environment that allows for the implementation of the necessary reforms in the public sector and the necessary regulation of the private sector, so as to facilitate the achievement of the development goals. Economic, social and political development also presupposes that governments be receptive, transparent and responsible in all levels vis-à-vis their citizens. It is in this context that we believe that in order to optimize the benefits of public investment, it is necessary to strengthen the anti-corruption policies.

Costa Rica is convinced that improvements in security cannot be made at the expense of fundamental freedoms or the full enjoyment and protection of the human rights on the part of the population of Iraq. We note with great concern the observations contained in the most recent report on the human rights situation in Iraq prepared by UNAMI. We regret that recent security improvements have not been accompanied by a strengthening of the rule of law or by a systematic approach to combating impunity. We are concerned that despite the establishment of the Independent High Commission for Human Rights, sufficient budgetary funds have not been allocated to that body to enable it to begin its work in 2009. We hope that the Iraqi authorities will swiftly honour their commitments to strengthen and broaden the protection of the rights of the Iraqi population by establishing independent institutions to monitor and supervise human rights, as Ambassador Al Bayati stated during the previous Council debate on UNAMI and reiterated today.

Costa Rica urges that it is of fundamental importance that Iraq uphold its commitments to human rights by ratifying key international instruments and ensuring the effective implementation of those it has already ratified, in particular the Convention on the Elimination of All Forms of Discrimination against Women.

Before concluding, I wish to put on record our concern with regard to the reported intention to reinstate the practice of executing convicted individuals in Iraq. My country, which abolished the death penalty in 1877 and recently supported an initiative in the General Assembly promoting a global moratorium on executions, respectfully urges the Government of Iraq to suspend such executions. We are similarly concerned by the paragraphs of the report noting the lack of reliable information on the prison population and the overcrowding of detention centres. We share the concern expressed in the report regarding the absence of guarantees required by standards with respect to human rights and fair trials. We should also like to register our concern at the persistence of interrogation procedures that, according to the report, could be tantamount to torture. We hope that the Government of Iraq will translate its political will into concrete actions, that it will ratify the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and its Optional Protocol, as well as the Second Optional Protocol to the International Covenant on Civil and Political Rights, Aiming at the Abolition of the Death Penalty.

Mr. Churkin (Russian Federation) (*spoke in Russian*): We are pleased to welcome you as President of the Council.

At the outset, I should like to thank Mr. De Mistura of the United Nations Assistance Mission for Iraq (UNAMI) for his briefing on the situation in Iraq. We should also like to expression our appreciation of his work in leading UNAMI and to wish him success in his new — and in some ways old — job leading the World Food Programme.

We share the assessment that has been made in the quarterly report on the work of UNAMI. It is balanced and provides an overall objective reflection of the current situation in Iraq, as well as of the ongoing processes in many areas of political and economic life in the country, where we have seen some positive progress. At the same time, we remain concerned by the security sector situation. Terrorism continues to pose a threat, as do increased activity of armed groups and ongoing inter-ethnic and inter-religious tensions.

Strategically, the work of UNAMI should focus on continued efforts to foster the process of national reconciliation, which for now is clearly stalled. We welcome UNAMI efforts aimed at encouraging Iraqi leaders to seek mutually acceptable solutions to political and socio-economic problems and create an effective government system in which all ethnicities and religions can participate. Without this, efforts to normalize the internal political situation, maintain the territorial integrity of Iraq and establish a just distribution of income from the exploitation of natural resources will fail.

One of the principal goals of the United Nations in Iraq is to act as a coordinating centre for the stabilization of the country, including efforts to prepare for the parliamentary elections scheduled for January next year and the regional elections in Kurdistan in July. In our view, the future presence of the United Nations in Iraq depends in a large part on UNAMI's effectiveness in facilitating the successful holding of elections and in assisting the electoral council. We must strengthen the partnership between UNAMI and the Government of Iraq by supporting the Government in taking the lead in stabilizing the internal situation.

At the moment, we must note that the initial stages of the pre-electoral process have lead to some internal political tension. The coming of the elections may well provoke greater religious and interethnic problems. We therefore welcome UNAMI efforts to encourage inter-ethnic and inter-religious dialogue and we call on the Mission to continue to focus its efforts on this issue.

Despite the progress in the security sector reported by the Government, we are concerned by the increase in the number of violent incidents, which rose by one third in the month of April. We also remain concerned about the situation in the disputed areas, where tensions persist between the Kurdish population on one side and the Turkmen and Arab populations on the other. There is a positive role for UNAMI to play in countering these tensions. We look forward to the official publication of the report by UNAMI on the disputed areas. It is our view that this document could be of great value if it maintains a purely analytical and advisory nature and doesn't presume to anticipate the sovereign decisions that must be taken by the Iraqi people themselves on this issue, which is exceedingly sensitive to all ethnic and religious groups. In this context, it is important to be informed of Iraqi opinion on Mission documents.

Another important issue for us is the relationship between Iraq and its regional neighbours. Without more cooperation between Baghdad and neighbouring countries and without the constructive involvement of those neighbours in an Iraqi settlement process, achieving security in Iraq will remain difficult. We welcome UNAMI efforts to support the development of bilateral relations between Iraq and its neighbours.

In conclusion, the Russian delegation supports the draft presidential statement reflecting the position of the Security Council on the questions related to Iraq.

Mr. La Yifan (China) (*spoke in Chinese*): At the outset, I wish to thank Your Excellency Mr. Davutoglu, Minister for Foreign Affairs of Turkey, for presiding over our meeting today. I wish to thank the Special Representative of the Secretary-General, Mr. De Mistura and the representative of Iraq for their briefings. This is the last appearance of Mr. De Mistura in the Security Council in his current capacity as Special Representative of the Secretary-General. I wish to avail myself of this opportunity to express our deep appreciation for the major contribution that he has made to aiding peace and reconstruction in Iraq. I wish to thank him and wish him every success in his future endeavours.

Earlier this year, provincial elections were held successfully in Iraq. The Council of Representatives laid down plans to accelerate its legislative work. The Iraqi Security Forces have been assuming an increasing level of responsibility for maintaining peace and stability in the country. The progress that has been achieved in all areas in Iraq deserves full recognition. At the same time, we must not ignore the fact that Iraq is still confronting multiple challenges in the political, security, reconstruction, human rights and national reconciliation areas. Bombing incidents still frequently occur. The issue of disputed internal boundaries remains unresolved. Economic recovery and reconstruction need greater support from the international community. Large numbers of refugees and displaced persons need to return to their homes and be resettled, and the rights and interests of women and children must be more effectively secured.

The primary responsibility for the future and destiny of Iraq rests with the Iraqi Government and people themselves. For Iraq to have a good future all the political leaders of Iraq must put the national

interest above all else and seek reconciliation, consensus and cooperation. We support efforts by the Iraqi Government to take measures conducive to the stability, unity and development of the country, and we hope that the Iraqi Government and the various parties in the country can join in continuing to make good progress in national reconciliation, development of legislation, accelerated reconstruction and the protection of human rights. We hope that the Kurdistan regional Government and the parliamentary elections will proceed smoothly and successfully.

Progress in the security and political fields can be fully consolidated only by promoting economic and social reconstruction. We appeal to the international community to effectively honour its pledges of assistance to Iraq and to help Iraq to accelerate its reconstruction and development. We support reviewing the priorities of the International Compact for Iraq in the light of the needs of the current situation. We are pleased to see that Iraq has been improving and strengthening its relations with its neighbours in the region.

Iraq's improvement of relations with regional countries is conducive to its stability and reconstruction and is also in the common interest of the neighbouring regions. The international community should acknowledge and continue to encourage and support Iraqi cooperation with countries in the region through multiple regional mechanisms and bilateral initiatives.

Under the leadership of Mr. De Mistura, UNAMI has achieved good results through gradual and focused efforts on all fronts to implement its mandate under resolution 1770 (2007). We expect UNAMI to continue to strengthen cooperation with the Iraqi Government, to provide assistance to key elections in Iraq, to make reasonable and feasible recommendations with regard to the political dialogue in Iraq and to push for greater progress in Iraqi national reconciliation.

We also expect UNAMI to continue to coordinate humanitarian assistance to Iraq, including creating the necessary conditions for the return, resettlement and integration of Iraqi refugees and displaced persons. We also hope that UNAMI will provide greater assistance to the Iraqi people in the area of human rights.

We support efforts by the United Nations to continue to expand its presence and activities in Iraq in the light of that country's needs. At the same time, we appeal to the parties concerned to take effective measures to enhance the safety and security of United Nations personnel.

China supports Iraq's resumption of its international status. We look forward to the Secretary-General submitting a report pursuant to resolution 1859 (2008).

Mr. Kafando (Burkina Faso) (*spoke in French*): I would like to thank Mr. Staffan de Mistura for his presentation of the Secretary-General's report (S/2009/284) on the situation in Iraq and, as he is completing his post as the Head of the United Nations Assistance Mission for Iraq (UNAMI), to pay tribute to him for his valuable contribution to the settlement of the Iraq issue. I also thank the representative of Iraq for his statement.

Not long ago, we congratulated the Iraqi people and Government for the achievements made in the democratization process, in particular the successful provincial elections and the progressive recovery of control of their country and destiny. Today, we encourage the Iraqi Government, whatever difficulties remain, to persevere in its efforts to preserve that progress, in particular in national reconstruction and in the strengthening of its authority throughout its territory.

In that regard, we are pleased to note that the Iraqis are sincerely committed to the national reconciliation process, which, as we know, is the precondition for the success of all other actions, in particular the settlement of disputes over internal boundaries, the sharing of natural resources and the issue of federalism.

We also welcome the successful elections in the governorates and their fine organization by the Independent High Electoral Commission. We hope that the electoral preparations coming in 2009 and 2010 will, like previous ones, be crowned with success.

However, Iraq continues to face numerous challenges. For that reason, good coordination and cooperation among UNAMI, the multinational force and the Iraqi Security Forces are essential to ensure the stability of the country. However, it is primarily up to the Iraqis themselves to work towards strengthening peace and ensuring a harmonious development of their country.

Different factors point to that legitimate aspiration for peace, hence the recent analytical reports on the disputes over the internal boundaries in north Iraq and the technical and logical assistance provided to the relevant parliamentary committee in order to work out a consensus on the status of Kirkuk. Furthermore, we hope that the lessons learned by the members of the committee from the experience of Northern Ireland will contribute to better understanding and resolving the issues of power-sharing, political reform and reform of the province's constitutional status.

The successful unfolding of the national development strategy is also a very encouraging indication of efforts for Iraq's recovery, and, in that context, no one doubts that the adoption in February 2009 in Naples of a new approach towards international assistance will bolster that strategy, as will the decisions of the United Nations agencies, funds and programmes to establish a United Nations Development Assistance Framework for Iraq from 2011 to 2014 and the planned future review of the Iraq Compact with the help of the Special Adviser, Mr. Ibrahim Gambari.

In the area of human rights, we welcome the initiatives taken by the United Nations and the Iraqi Government to promote gender equality and parity and to ensure implementation of resolution 1325 (2000).

Finally, it seems essential to us to stress that strengthening regional cooperation remains an important element in the post-conflict strategy in Iraq. While congratulating the regional actors for their foresight, we are grateful to UNAMI and the Special Representative for the efforts made to strengthen confidence and cooperation among the countries of the region.

Peace and stability in Iraq are essential to calm in the region and the world as a whole. No effort must thus be spared so that lasting security is quickly restored in that country.

Mr. Mayr-Harting (Austria): Let me first of all thank you, Your Excellency, for assuming the presidency of this very important meeting. I would also like to thank Special Representative De Mistura for his briefing and commend the United Nations Assistance Mission for Iraq (UNAMI) for its unwavering commitment to assist the people of Iraq in rebuilding their country. I would also like to express Austria's appreciation for your extraordinary personal dedication, courage and leadership, in particular in promoting dialogue and national and political reconciliation. I would also like to thank the representative of Iraq for his statement.

As the Secretary-General pointed out in his report (S/2009/284) national reconciliation remains the main priority for a stable and peaceful Iraq. We welcome the recent initiative of the Special Representative of the Secretary-General to launch a high-level dialogue between the Government of Iraq and the Kurdistan regional Government on the disputed internal boundaries. It is of very great importance that leaders on all sides focus on national reconciliation in the run-up to the Kurdistan regional elections next month and the national elections in January 2010.

On the issue of power-sharing, property and demography in Kirkuk, we welcome the assistance that UNAMI has provided to the parliamentary committee. We regret that the committee has not yet been in a position to report back on progress. We expect continued and genuine commitment on the part of all to resolving the outstanding issues concerning the allocation of Government posts.

In view of budgetary challenges due to the economic crisis and declining oil revenues, national and regional leaders need to overcome the deadlock on the regulation of the hydrocarbon sector. This would also be very beneficial to encouraging foreign investment in the country. The signing of the memorandum of understanding on energy cooperation with the European Union would be equally beneficial in that regard.

The recent rise in indiscriminate attacks on civilians, including by suicide bombers, is a stark reminder of the fragility of the hard-won security gains. Manifold challenges persist.

We are encouraged that Iraq's internally displaced continue to return to their communities. At the same time, we share the Secretary-General's view that increased efforts towards integration, resettlement and return are critical to allow for sustainable returns in safety and dignity. This would also convey the message to the more than 1.5 million Iraqi refugees abroad that they, too, can have a future back home. We recognize the immense efforts of the Syrian and Jordanian Governments to accommodate Iraqi refugees.

As UNAMI's human rights report underlines, additional steps to strengthen the rule of law and end impunity are necessary. We are encouraged by Iraq's commitment to strengthening the protection of human rights. We therefore hope that the recommendations contained in the report — in particular those relevant to the protection of women, children and vulnerable groups — will be implemented as soon as possible. The Independent High Commission for Human Rights could and should make an important contribution to these endeavours. We therefore very much hope that the Iraqi authorities will soon make it possible for the Commission to begin its important work.

We welcome the progress made towards Iraq's ratification of the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and hope that it will provide fresh impetus to the reform of the criminal justice system. We urge Iraq to reinstate the moratorium on executions observed since August 2007. I also wish to recall the statement of the European Union on this subject.

Austria and the European Union stand ready to support Iraq's efforts to strengthen respect for human rights and the rule of law, including by translating the national strategy to combat corruption into action. These efforts are essential to rebuilding the trust of the Iraqi people in their institutions. The equal participation of women will be critical if that goal is to be achieved. As Iraqi Security Forces assume increasing levels of responsibility, we would particularly encourage engaging women in the police and in the army.

Let me underline Austria's firm commitment to supporting the efforts of the people and the Government of Iraq to make the country democratic, unified and prosperous. We therefore also support the early conclusion of a partnership and cooperation agreement between Iraq and the European Union. We hope for a further strengthening of Iraq's re-engagement with its neighbours, in accordance with relevant United Nations resolutions, and early progress in negotiations — including, I wish to underline, bilateral negotiations — towards the resolution of outstanding bilateral issues.

Finally, let me say that we are grateful to you, Sir, and to the United States of America for preparing today's draft presidential statement. It has our full support.

Mr. Puente (Mexico) (*spoke in Spanish*): We are honoured, Sir, by your presence here today as you preside over the work of the Security Council. My delegation welcomes you once again.

Like other delegations, we wish to thank Mr. Staffan de Mistura for his detailed briefing. We take this opportunity to acknowledge his work at the helm of the United Nations Assistance Mission for Iraq (UNAMI). We are convinced that he will be equally successful in his future responsibilities. We wish him all the best.

We also wish to thank Ambassador Hamid Al Bayati for his detailed statement, which clearly reflected the progress that has recently been made in his country.

Following the latest review of United Nations activities in February, the Iraqi Government has pursued its efforts to strengthen democracy, exert effective control over the national territory, and improve security and the living conditions of the Iraqi people. We must not only praise those efforts, but also encourage the Government of Iraq to continue along the same line, with the support of the international community, in particular as it faces important electoral deadlines in late 2009 and early 2010. That will certainly strengthen the sovereignty, independence and territorial integrity of Iraq and ensure the right of its people freely to determine their economic and political future. It will also allow them effectively to control their natural resources.

In that respect, we note with satisfaction that significant progress has been made in recent months in various sectors of Iraq's national life. In the electoral field, the successful and peaceful holding of provincial elections on 31 January confirmed the commitment of the Government and the people of Iraq to democracy and strengthened local institutions, which will improve the people's standards of living. The work of the Independent High Electoral Commission is deserving of special recognition. With the support of the Iraq authorities, UNAMI and the international community, it ensured that the elections were held in optimal conditions, thus guaranteeing the legitimacy and impartiality of the results. The fruitful cooperation between the High Commission, the Government and UNAMI should continue throughout the preparation for the regional elections in July and the parliamentary elections in January 2010.

On the political scene, the election in April of the new Speaker of Parliament will promote progress on outstanding legislative and constitutional matters. It will also help to strengthen the foundations of national reconciliation, which is of high priority for Iraq, as Ambassador Al Bayati noted.

With respect to security, in February we welcomed the entry into force of the bilateral security agreement between the Governments of Iraq and the United States. The agreement is the basis for the transfer of responsibilities to the Iraqi Security Forces.

On the issue of sovereignty, we note with pleasure that United States troops have begun to withdraw from their former bases, while Iraqi forces are increasing their participation in and responsibility for ensuring domestic security, pursuant to the bilateral security agreement. The process is of great importance to Mexico, which has always favoured the strengthening of Iraq's sovereignty and spoken up on behalf of its autonomy.

At the regional level, the Government has demonstrated its ability to consolidate and strengthen relations with its neighbours and laid the groundwork for bilateral relations with the countries of the region. We therefore welcome the decision to incorporate the strengthening of regional relations into the priorities of the International Compact with Iraq, with the support of UNAMI. Moreover, thanks to UNAMI's interlocutory role, dialogue has begun on the disputed internal borders and the status of Kirkuk. Such dialogue is critical to establishing lasting peace in the country and has recently borne fruit, as Mr. De Mistura indicated.

Iraq's current situation is the complete antithesis of that which prevailed in previous years. However, as in all reconstruction processes, important pending challenges hinder national reconciliation and the country's economic development. We are particularly concerned about the frequent and massive indiscriminate attacks that have claimed numerous civilian casualties. We firmly condemn such unacceptable practices of intimidation and join the Secretary-General in urging Iraqis not to succumb to them. We trust in the Iraqi Security Forces to confront the armed groups inciting sectarian violence and to exert gradually increasing control throughout Iraqi territory while safeguarding human rights.

In this respect, my delegation shares the concern expressed in the Secretary-General's report (S/2009/284) with regard to the decision to reinstate the death penalty, which Mexico is opposed to. We invite the Iraqi authorities to suspend this practice. We also call for particular attention to be paid to respect for the rights of women.

In addition, we welcome the establishment of the Independent High Commission for Human Rights, which will make it possible to progressively address these challenges. We also welcome the proposal for United Nations support to contribute to the consolidation of that Commission. We hope that the necessary funds for the financing of the Commission will be provided soon. This would contribute to strengthening the capacity of Iraqi institutions in the area of human rights protection and would establish better practices for the treatment of detainees and judicial processes, including fair trials and due process.

The persistent lack of security in the country has generated a constant flow of internally displaced persons and refugees, undermining the long-term development of the country. For this reason, we are pleased to note the fact that, since the beginning of 2008, nearly 50,000 families have returned to their places of origin. We invite the Iraqi authorities to continue to cooperate with the Office of the United Nations High Commissioner for Refugees in order to ensure the return of refugees and internally displaced persons in the best possible conditions while ensuring respect for their dignity.

Reconstruction and the economic development of the country are essential for a solution to all of the remaining problems and are intimately bound to an improvement in security conditions and the strengthening of institutions and of the rule of law. The support of UNAMI and the international community should be channelled towards these aspects in order to consolidate future development in Iraq. We welcome recent initiatives by the Government of Iraq to strengthen its economic and social development.

In this respect, Mexico has contributed, through the Central Emergency Response Fund, to addressing the health epidemics that have affected more than 10,000 people in the country. Mexico is one of the biggest supporters of this programme.

I would like to conclude by recognizing the work of UNAMI personnel and the important role that this

Mission has played in substantially improving the living conditions of Iraqis. Its presence has allowed for the consolidation of an independent and sovereign Government and has facilitated assistance to the humanitarian and reconstruction work to be done.

In the future, UNAMI will have the opportunity to continue to support Iraq in crucial initiatives such as the International Compact for Iraq, the holding of regional and national elections, the national assistance strategy and the issue of human rights. The future of Iraq and the well-being of Iraqis depend on the determination of its Government and the support of the international community in facing these remaining challenges.

For all of these reasons, we thank the presidency of the Council for having prepared the draft presidential statement, to which my delegation fully adheres.

Mr. Vilović (Croatia): Allow me to begin by expressing our pleasure, Mr. Minister, for having you personally here to preside over this meeting. I would also like to extend our warm welcome to Mr. De Mistura and to thank him for the briefing he provided to us today as well as for his personal engagement, leadership and achievements in Iraq. I wish him all the best in his future work.

Croatia welcomes the ongoing United Nations contribution to the promotion and consolidation of peace, stability, democracy, human rights and development in Iraq. In view of their approaching departures from their respective functions, I would like to use the opportunity to express once again Croatia's appreciation to Mr. De Mistura and his Deputy, Mr. Shearer, for their hard work and for the dedicated personal efforts they have invested in carrying out the mandate of the Mission.

The United Nations Assistance Mission for Iraq (UNAMI) continues to play a vital role in Iraq. Its expanding engagement and presence provides valuable support to the Iraqi Government and the people of Iraq in addressing the remaining challenges. We salute the efforts that the Special Representative and his team are investing in facilitating political dialogue, notably their good offices on the issue of disputed internal boundaries and the status of Kirkuk. Also, we value their role in assisting national and regional dialogue, offering expertise on unresolved constitutional issues and providing electoral and human rights support.

Croatia fully stands behind the messages contained in the draft presidential statement that the Council is about to adopt today, reaffirming its support for UNAMI and for the people and Government of Iraq in their efforts to rebuild a stable, secure and democratic country.

Iraq has made remarkable progress over recent years. The provincial election held earlier this year, the first one to be Iraqi-led and Iraqi-owned, augurs well for the country's future. We are also encouraged by the successful start of voter registration in Kurdistan. We see those electoral processes as a manifestation of a broader trend, one in which Iraqis are increasingly taking responsibility for their own affairs. Moreover, they have set in motion local democratic processes, which should be channelled into the national dialogue.

We call on the leadership of Iraq to make the most of those recent positive trends on both the political and the security levels and to translate this momentum into national reconciliation that will lead to lasting peace and stability and economic and social development. We hope that this will generate tangible improvements that will be felt in the daily lives of ordinary Iraqis, thus locking in the progress achieved.

National reconciliation, as Mr. De Mistura and the Secretary-General in his report (S/2009/284), have rightly emphasized, remains the most pressing challenge. Ultimately, only a political settlement can guarantee the irreversibility of recent positive trends and achievements. We call upon Iraqi leaders to rise above sectarian interests, to apply themselves to dialogue and to search for compromise solutions, notably on the crucial questions of hydrocarbons legislation, constitutional review and internal boundaries.

Croatia strongly supports UNAMI's focus on the issues of boundaries and the status of Kirkuk, appreciates its initiative and analytical input, and hopes to see early progress.

We welcome the strengthening of the security sector and the continued expansion of the authority of Iraqi security forces throughout the country. However, the recent wave of sectarian and terrorist violence and increasing tensions in several areas give rise to serious concerns. Croatia strongly condemns the recent terrorist attacks. The extremists' agenda should not be allowed to derail Iraq from the path of peace and democratic transformation. This threat only underscores the urgency

of advancing the reconciliation agenda, as it is innocent civilians who continue to bear the brunt of indiscriminate violence.

Croatia is apprehensive about the multifaceted challenges facing the Government of Iraq, including reconstruction and economic growth. As the report rightly observes, resources should be spent in areas that will make a lasting difference to social and economic revival. We understand that there are still pockets of serious humanitarian needs, and we appreciate the Government's efforts to address the situation of refugees, displaced persons and returnees. Creating jobs and infrastructure is essential to bringing about a tangible sense of progress for the people of Iraq, together with an underlying sense of peace and stability. We expect the Government of Iraq to build on the recent security improvements and welcome its efforts aimed at ensuring good governance and the rule of law, including recent steps to combat corruption.

Regional cooperation and constructive dialogue with Iraq's neighbours remain critical components in long-term stabilization. Conversely, durable peace and stability in Iraq remain critical for regional security, which in turn is critical for international security. We are encouraged by intensified high-level bilateral contacts and support continued engagement by UNAMI in promoting bilateral cooperation initiatives as well as regional engagement.

As Iraq progressively assumes full sovereignty, Croatia fully supports the view that it has become necessary for the Council to re-examine the set of obligations imposed on the country under the regime of Saddam Hussein and to realign Iraq's international legal standing in accordance with its new circumstances. As the Council is about to begin the review process in accordance with resolution 1859 (2008), we are ready to work with others towards achieving durable solutions that will duly reflect this new reality.

Mr. Dabbashi (Libyan Arab Jamahiriya) (*spoke in Arabic*): At the outset, I would like to say how pleased we are at seeing you, Mr. President, personally presiding over this meeting, which reflects your great interest in the situation in Iraq. We would also like to thank Mr. Staffan de Mistura for his extensive briefing and for all his efforts as Special Representative of the Secretary-General in Iraq. We acknowledge and commend the excellent role played by the United Nations Assistance Mission for Iraq (UNAMI) under his leadership. I should also like to thank Ambassador Hamid Al Bayati, Permanent Representative of Iraq, for his valuable statement.

UNAMI has done substantial work in the period under review. It has had great success despite all the challenges and difficulties it faces, especially in the area of security. We would therefore like to underscore the need to strengthen the role of the United Nations and its specialized agencies in Iraq as an alternative to the presence of foreign troops in Iraq.

Also in this period, Iraq has made great progress on the political front by holding local elections in 14 provinces in January, including elections for provincial councils. In that regard, we should like to acknowledge and commend the efforts of UNAMI and the Special Representative of the Secretary-General to support the Independent High Electoral Commission and to resolve disputes about internal boundaries in Iraq. We hope that tensions in the area of Kirkuk can be brought to an end and that a political solution can be achieved in line with Iraq's Constitution that satisfies all parties and strengthens the unity of all segments of Iraqi society.

We urge the Mission and the Special Representative to continue their neutral role, so as to build confidence between the parties, encourage national reconciliation and help to promote dialogue. We also urge them to work in consultation with the Iraqi Government to achieve consensus among all parties on disputed matters and to establish lasting security throughout Iraq, which is a prerequisite for development and prosperity.

The ongoing tensions and military operations in the period under review once again lead us to reiterate that the continued presence of occupation forces, under whatever format, will be a cause for continued instability. The withdrawal of such forces will contribute to achieving national reconciliation, which is essential for Iraq's stability, reconstruction and prosperity, as well as an important element in promoting and strengthening relations with its neighbours. Withdrawal would also contribute to reducing the level of support enjoyed by armed groups and factions, especially those that claim that they are operating against foreign troops in Iraq.

In that regard, I would like to mention paragraph 48 of the report (S/2009/284) of the Secretary-General,

which refers the readiness of the Iraqi Security Forces to take over responsibilities from the multinational forces. We hope that that process will be expedited.

The Secretary-General's report also states that there is a possibility that Iraq's budget deficit for the 2008 fiscal year could reach $15.9 billion. Were that to occur, it would be the highest deficit in the past six years. That could hinder or delay reconstruction and impede the implementation of Iraqi Government policies. We hope that the rise in the price of oil may contribute to reducing or completely eliminating that figure. In that regard, we would like to emphasize that it is important that the countries that led the invasion of Iraq bear the responsibility for financing the special international funds set up to assist the country.

On the humanitarian front, we note with satisfaction the ongoing return of internally displaced persons and refugees. However, we continue to be very concerned about the fact that there are still millions of Iraqi refugees outside the country, especially in neighbouring States. We hope that the Iraqi Government and United Nations agencies will give top priority to the issue of the return of refugees and provide the necessary contingencies and conditions for that to occur.

In spite of the relative progress made in the area of human rights, we continue to be concerned about certain incidents that have resulted in the deaths of several civilians and politicians, as we are about killings and attacks against various groups in Iraqi society.

We are also very concerned about the fact that more than 10,000 persons are being detained by the occupying forces and that Iraqi authorities have rearrested some of them as soon as they are freed from detention facilities under the control of foreign forces. Iraqi authorities hold those people under difficult circumstances, without having secured arrest warrants against them from the judiciary and without giving them fair trials. We hope that that will change soon.

The situation in Iraq today is very different from what it was when resolution 661 (1990) was adopted. The time has come for the Security Council to take the necessary steps to allow Iraq to resume the international and legal status it enjoyed before that instrument was adopted.

Mr. Bui The Giang (Viet Nam): I wish to join others in welcoming you to the Council once again, Mr. President, as well as to thank you for personally chairing today's meeting. I also thank Special Representative of the Secretary-General Staffan de Mistura for his briefing on the situation in Iraq and the work of the United Nations Assistance Mission for Iraq (UNAMI). I congratulate him on his leadership of the Mission during a very challenging period in UNAMI's operations. We wish him every success in his new position. I also thank Ambassador Al Bayati of Iraq for his contribution to our discussions today.

For the past six months, we have seen a consistent positive trend in the overall political and security situation in Iraq. Serious efforts have been made to form provincial councils in 14 governorates and to strengthen local governance institutions following the successful provincial elections earlier this year. A new Speaker of Parliament has been elected, putting an end to a four-month hiatus and opening up prospects for progress on pending legislation needed for the country's recovery. The strengthened ability of the Iraqi Security Forces to assume greater security responsibilities serves to prepare the ground for further security improvements under Iraq's sovereignty. The fact that returns of internally displaced persons are continuing at a steady rate, despite the rise in violence, reflects the restored confidence of the population.

High-level visits to and from Iraq have enhanced the country's international relations, above all with neighbouring partners. We are, however, mindful of the multiple challenges that Iraq is facing. Those include, inter alia, the recent surge of indiscriminate attacks against civilians, alongside regular attacks against the Iraqi Security Forces and the multinational force in many parts of the country; the delicate reconciliation process, further complicated by the difficult economic situation, with a budget deficit projected at 27 per cent this year; the worrisome rates of poverty and unemployment and the outbreaks of disease and food insecurity, all of which are making the livelihood of fragile groups of the population, such as women, children, internally displaced persons and refugees, even more vulnerable.

In that context, it is crucial for the Government of Iraq and its citizens to strengthen the progress recorded so far, move ahead on the course of national reconciliation, reconstruction and reintegration, resolve

the status of Kirkuk and other disputed internal administrative boundaries, push forward the constitutional review process, reach an accord on income-sharing arrangements, and prepare for the elections in Kirkuk, possible referendums, district and sub-district elections, the national parliamentary elections this year and other key electoral events next year.

All these issues cannot be dealt with in isolation and will require the goodwill and firm commitment of all concerned stakeholders. We call upon all parties in Iraq to rise above their partisan interests and to work with one another in the spirit of reconciliation, good faith and cooperation with a view to reaching compromise solutions that would allow the country to march ahead under a common vision and along the track of peace.

Given the fact that the International Reconstruction Fund Facility for Iraq will come to a close by the end of this year, the International Compact for Iraq is approaching its third year of implementation, and international financing for reconstruction and development is diminishing, we endorse the imperative need expressed in the Paris Declaration to ensure ownership, accountability and transparency of aid. We believe that international and regional assistance should be better coordinated to help Iraq address its national socio-economic priorities, and that this should be done through every related mechanism, be it the International Compact for Iraq, the United Nations Development Group Iraq Trust Fund, the Paris Declaration principles, the expanded ministerial meetings, or the regional working groups on energy, refugees and security.

We commend the courageous work of UNAMI in Iraq as mandated by Security Council resolutions 1770 (2007) and 1830 (2008). We welcome the decision by United Nations agencies, funds and programmes to start with a full United Nations Development Assistance Framework for Iraq from 2011 to 2014, in line with Iraq's National Development Strategy. We also welcome the Secretary-General's announcement that he will soon present to the Security Council a report on the review of all Security Council resolutions pertaining specifically to Iraq, in accordance with resolution 1859 (2008).

As Iraq is in the midst of a critical transition period, we reiterate Viet Nam's commitment to contributing practically to the reconstruction of Iraq.

Finally, we thank the delegation of Turkey for proposing the draft presidential statement, which we are ready to support.

Mr. Rugunda (Uganda): I welcome you, Sir, and salute the fact that you are presiding over this meeting personally. The fact that you have come to chair the meeting shows the significance which the presidency attaches to this very meeting. My delegation thanks Mr. De Mistura, Special Representative of the Secretary-General for Iraq and head of the United Nations Assistance Mission for Iraq (UNAMI), for his encouraging briefing and Mr. Al Bayati, the Permanent Representative of Iraq, for his statement.

Uganda welcomes the overall progress and improvement in the political and security situation in Iraq. We commend the reconciliation efforts spearheaded by Prime Minister al-Maliki, aimed at bringing together all Iraqis, including former Baath Party members. We are convinced that the durable peace and stability that we all seek will come only through the leadership of the Iraqi people, supported by the international community. We therefore welcome the agreements reached on the selection of the new Speaker of Parliament, and encourage different sections of the Iraqi society to build on this and other achievements to create a more stable and peaceful Iraq.

We congratulate the people of Iraq for holding successful and largely peaceful provincial elections, which also enabled the selection of governors and their deputies. We commend the Independent High Electoral Commission for the work done in organizing the elections.

As Iraq prepares for Kurdistan regional government elections in July 2009 and national parliamentary elections in 2010, we call upon the Electoral Commission to build on the achievements gained in organizing successful provincial elections. We commend UNAMI's continued assistance to the Iraqi people and the Iraqi Government in that regard.

My delegation appreciates UNAMI's continued work in support of the Government of Iraq to help create conducive conditions for the safe return of Iraqi refugees and the resettlement of internally displaced persons. We welcome the important regional developments characterized by high-level visits between Iraq and other countries of the region during the reporting period. The security, stability and

development of Iraq are inextricably linked to the peace, stability and development of the region.

There are still challenges to be addressed in order to consolidate the gains so far made. We note that the resolution of the disputed internal boundaries remains among the indispensable elements for lasting peace in Iraq. We encourage Iraqi leaders to work more closely together in a spirit of national unity and to adopt political, constitutional and legislative measures to address the challenges.

Finally, Uganda extends its appreciation to Mr. De Mistura for his work and good leadership of UNAMI. We commend all of the United Nations staff in Iraq for their contributions towards the stability and security of Iraq. Uganda supports the draft presidential statement that has been prepared by the United States and Turkey to convey the Security Council's position on the situation in Iraq.

Mr. Takasu (Japan): I would like to express my appreciation to you, Sir, for presiding over today's Council meeting.

I thank Mr. Staffan de Mistura for a useful briefing. Also, as all my colleagues have mentioned, this will be the last time Mr. De Mistura will appear before the Council in his capacity. I wish to add my voice to express our deep and profound gratitude to him for completing his very difficult tasks under challenging circumstances and for his many years of dedicated work for the cause of the United Nations. I also think all members of the United Nations Assistance Mission for Iraq (UNAMI) should be congratulated for their great work.

I would also like to congratulate Ambassador Al Bayati today for his very useful statement and for his report of the progress that the Iraqi people and Government have made so far.

We are pleased with the positive developments during this period, including the election of the new Speaker of Parliament and the formation of provincial councils. It is encouraging that Iraq continues to make such progress, but obviously many challenges remain. We agree with many of our colleagues that national reconciliation is the most important challenge for the stability of the country. We very much welcome that Prime Minister al-Maliki is calling for a renewal of the national reconciliation effort.

A representative and inclusive democratic process will be an essential basis for national reconciliation. The preparations for the Council of Representatives elections are under way. We hope that there will be a higher turnout than for earlier elections and that this time the electoral process will be well established as a norm for Iraq's people, that political grievances and differences are to be dealt with not with bullets but through the ballot box. We support the important role that the United Nations Assistance Mission for Iraq (UNAMI) plays in assisting the Independent High Electoral Commission.

The disputed internal boundaries are another important issue for national reconciliation. UNAMI has made a valuable contribution by providing analytical reports. We hope that the reports will support the Iraq's people in coming to an agreement on the disputed internal boundaries issue, including the status of Kirkuk.

Those issues will have implications for the Constitution. We believe UNAMI can also play a useful role in helping the Iraqi people resolve these complex interrelated issues.

In the area of security, we note that the recent security incidents clearly indicate that the gains achieved in this area continue to be precarious. The United States forces will leave Iraqi cities at the end of June. We hope that the Iraqi forces will step up to the challenge of maintaining security themselves.

Another important issue is Iraq's relations with its neighbours. We appreciate that UNAMI provides support to advance bilateral cooperation with Iraq's neighbours. We also look forward to receiving the Secretary-General's report, as requested with resolution 1859 (2008).

With regard to economic recovery, we welcome the strong initiatives by Iraq's people in the country's efforts for recovery, reconstruction and development. The fluctuation in oil prices poses a challenge to Iraqi Government's budget. But we are confident that the Government can meet the challenges. Japan has provided $1.7 billion in grant aid, and we have just exchanged notes with the Iraqi Government to provide official development assistance through a loan up to $2.43 billion for 12 projects in areas of transportation, energy, industrial plants and irrigation.

Japan is committed to assisting Iraqi people together with other members of the international community. We are very confident that Foreign

Minister Zebari's visit to Japan will not only solidify our bilateral relations, which are already excellent, but will also provide a useful opportunity for constructive dialogue on the important challenges that Iraq faces today.

I would like to conclude by reiterating Japan's strong support for the Government and people of Iraq.

The President: I shall now make a statement in my capacity as Minister for Foreign Affairs of Turkey.

I would first like to join others in thanking Special Representative Mr. Staffan de Mistura for his insightful presentation, but more so for his unrelenting and keen efforts at the helm of the United Nations Assistance Mission for Iraq (UNAMI). Indeed, during his rather short tenure, he energized the entire United Nations team in assisting the Iraqi Government and people in their quest for peace and stability. This took place at a critical point in time, when Iraq's need for United Nations assistance was perhaps greater than ever. Under his able leadership UNAMI has played a most constructive role. It provided expertise and analysis, bridged differences and helped bring about positive change.

However, the job of the United Nations is still far from over. In the months and years ahead there will be an equally pressing need for it to continue to support Iraq. We hope that Mr. De Mistura's successor will carry the flag even further.

Of course, not only the United Nations but the entire international community, first and foremost the Iraqi Government and people themselves, should rise to the occasion. We must all collectively ensure that Iraq embarks upon an irreversible path towards lasting peace, security and prosperity. It is still a tall order to reach that point, but we have no other option. For a united and democratic Iraq, assuming its rightful place within the community of nations will constitute a true success for all of us.

Given what has been achieved in the past six years, we have good reason to be optimistic. Indeed, not long ago, doomsday scenarios of all sorts abounded. Today, despite many risks still ahead of us, we see the light at the end of the tunnel.

I myself have been a witness to that evolution. Indeed, I have been to Iraq a few times in this past six years, and every time I go back I observe changes in the right direction. After years of dictatorship plagued by fear, frustration and hatred, the Iraqi people are now trying to make a leap forward with hope, confidence and empathy. And they are feeling good about it. That is because democracy is seen in action at both national and local levels. The security situation is improving despite spikes of violence by extremist elements. There is a growing awareness among political parties to engage in a national dialogue. And more importantly, there is an increasing sense of ownership on the part of the Iraqi people.

These are not modest achievements, given where Iraq was only six years ago. But they are no reason to be complacent, either. We must not let our optimism outrank realism in our assessments for the future of Iraq. It is still at a critical point in its transformation into a stable and democratic State. As a matter of fact, Iraq is on the verge of yet another defining phase in its history. For instance, the parliamentary elections coming up at the beginning of next year will be a crucial turning point in Iraq's young democracy. In view of the irregularities experienced during the last elections, the impartiality and professionalism of the Independent High Electoral Commission will certainly be one of the keys to a successful election process.

But more significantly, the political process itself is fraught with serious pitfalls in the run-up to the elections. Given the considerable and rather confrontational differences among the political parties, efforts towards national reconciliation become all the more important at this critical stage. In particular, ethnic and sectarian harmony in Iraq requires close attention. Differences along these lines have to be addressed within the framework of a meaningful national dialogue, in a way that will strengthen the unity and territorial integrity of Iraq.

Likewise, settlement of the status of Kirkuk and the broader question of disputed administrative boundaries also presents a pressing priority. Thus the ongoing political and legislative processes should be intensified with a view to rapidly resolving this sensitive issue. As a microcosm of Iraq, Kirkuk could and should be a stimulus for national reconciliation.

The peaceful transfer of security responsibilities to the Iraqi Security Forces poses yet another challenge, for the extremist elements will try to exploit this transition to create chaos and fear. We have already started to see the first signs of this threatening development. This is why the training and equipment

of the Iraqi Security Forces should be at the highest possible level at this critical phase leading up to the elections and beyond.

On top of these concerns, fair and just implementation of the amnesty law, facilitation of the return of refugees and internally displaced persons, adoption of the long-overdue laws on hydrocarbon resources and revenue sharing, building confidence and cooperation with neighbouring countries, strengthening regional dialogue and, last but not least, combating terrorism originating in Iraq and emerging from it are also among the issues that require urgent and constant attention.

At this point, I would like to stress that the fight against terrorism demands full cooperation within the international community, but more so among the neighbouring countries. In fact, it is an obligation by which all Members of the United Nations are strictly bound. In the case of Iraq, Turkey fully respects that obligation and expects both Iraq and its neighbours to do the same.

Finally, and maybe for the rather longer term, achieving a solid consensus based on the Constitution is imperative for Iraq to become a truly functioning democracy. A unifying constitution that enjoys national consensus is the basis of any democratic system. In Iraq too, the Constitution should reflect a social contract that all parties could embrace and unite around.

As can be seen, the road ahead is not an easy one. Given the manifold challenges, it will certainly be a bumpy ride. But I have full confidence that the Iraqi people and Government will come out of this process with flying colours.

The responsibility of the international community is to stand in solidarity with Iraq in tackling these daunting tasks. Indeed, we must all help the Iraqis take the right steps along this road. This is why we are glad to see that the divisions within the international community which prevailed in the early stages of the post-Saddam era have now given way to a strong and joint commitment to supporting Iraq's desire for peace, security and prosperity.

The United Nations is certainly an integral part of this collective effort and it must continue to play its useful role. United Nations assistance in resolving the question of disputed administrative boundaries and the status of Kirkuk, in particular, is of great importance. The reports prepared by UNAMI on this matter provide a good basis to build upon. We now expect all parties in Iraq to engage in an inclusive dialogue that will yield a consensual solution to this sensitive issue.

On the other hand, the International Compact with Iraq also provides an excellent framework for the international community's engagement with Iraq, in tune with the priorities set by the Iraqi Government itself. Thus, we must constantly review and update the Compact to maintain its effectiveness. This is particularly important given that the global financial crisis and the sharp fall in oil prices have had a rather serious impact on Iraq's economy.

For its part, Turkey will continue to support the development and reconstruction of Iraq. As a matter of fact, Turkey has long provided a significant conduit for the flow of humanitarian and economic assistance to Iraq. Today, the volume of bilateral trade is also rapidly rising. The Turkish-Iraqi High-level Strategic Council led by our Prime Ministers provides firm guidance and impetus to the diversification and advancement of our economic cooperation.

On the political front, too, the frequency of high-level bilateral visits can in itself be seen as an indication of the exemplary nature of our relationship. Indeed, we enjoy good relations with all the political actors in Iraq, and that enables us to play an effective role in encouraging national reconciliation.

Furthermore, the recently signed bilateral military training agreement is yet another clear example of the deepening cooperation between our countries. Through this agreement, we shall provide extensive training to the Iraqi Security Forces in order to strengthen their ability to cope with increased security responsibilities at a critical time.

In short, I would like to reiterate once again that Turkey will spare no effort to help the Iraqi people achieve the peace and prosperity they deserve. As a neighbour, we see this as our responsibility. Our centuries-old ties of common history and culture create an unbreakable bond between us and among all segments of the Iraqi society, ranging from Arabs to Kurds, Turkmen to Assyrians, Shiites to Sunnis. They are all our brothers and sisters, whose security and welfare is as dear to us as our own.

Let me emphasize once again our fine belief that Iraq has a bright future, which is now within reach. We are confident that the Iraqi people will achieve that future by acting in unison and rising above their ethnic and sectarian differences. For our part, we promise to be with them at every step of this honourable journey. I should like to conclude on this rather high note.

I now resume my functions as President of the Council.

The representative of Iraq has asked for the floor to make a further statement. I give him the floor.

Mr. Al Bayati (Iraq): I have no comment other than to thank you, Sir, for having taken the trouble to travel to New York again during such a short period to preside over this meeting.

I should like to express my thanks and gratitude, as well as the thanks of the Iraqi Government and people, to Mr. Staffan de Mistura. We will miss him. He has done a commendable job in helping Iraq and the Iraqi people. I hope that the United Nations will continue to help Iraq and its people in their affairs, working towards a democratic, pluralistic and stable Iraq.

The President: After consultations among members of the Security Council, I have been authorized to make the following statement on behalf of the Council:

> "The Security Council reaffirms its commitment to the independence, sovereignty, unity and territorial integrity of Iraq, and emphasizes the importance of the stability and security of Iraq for its people, the region and the international community.
>
> "The Security Council commends the important efforts made by the Government of Iraq to strengthen democracy and the rule of law, to improve security and public order and combat terrorism and sectarian violence across the country, and reiterates its support to the people and the Government of Iraq in their efforts to build a secure, stable, united and democratic country, based on the rule of law and respect for human rights.
>
> "The Security Council reaffirms its full support for the United Nations Assistance Mission for Iraq (UNAMI) in advising, supporting and assisting the Iraqi people and Government to strengthen democratic institutions, advance inclusive political dialogue and national reconciliation, facilitate regional dialogue, aid vulnerable groups, strengthen gender equality, promote the protection of human rights, including through the work of the Independent High Commission for Human Rights, and promote judicial and legal reform.
>
> "The Security Council encourages UNAMI's continued work, in coordination with the Government of Iraq, to help create conditions conducive to voluntary, safe, dignified and sustainable return of Iraqi refugees and internally displaced persons, and welcomes further attention to this issue by all concerned.
>
> "The Security Council underscores UNAMI's important role in supporting the Iraqi people and Government to promote dialogue, ease tension, and develop a just and fair solution for the nation's disputed internal boundaries, and calls upon all the relevant parties to participate in an inclusive dialogue to this end.
>
> "The Security Council emphasizes UNAMI's efforts to assist the Iraqi Government and the Independent High Electoral Commission in the development of processes for holding elections. The Security Council strongly endorses UNAMI's continued assistance to the Iraqi people and Government in preparation for the upcoming elections.
>
> "The Security Council congratulates departing Special Representative of the Secretary-General Staffan de Mistura on his strong leadership of UNAMI, and expresses deep gratitude to all the United Nations staff in Iraq for their courageous and tireless efforts."

This statement will be issued as a document of the Security Council under the symbol S/PRST/2009/17.

There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.40 p.m.